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Journal of the Senate

DURING THE

FORTY-FIFTH SESSION

OF THE

Legislature of the State of California

1923

FIRST PART BEGAN ON MONDAY, JANUARY EIGHTH
AND ENDED FRIDAY, FEBRUARY SECOND

SECOND PART BEGAN MONDAY, MARCH FIFTH
AND ENDED FRIDAY, MAY EIGHTEENTH

LIEUTENANT GOVERNOR C. C. YOUNG, President of the Senate
JOSEPH A. BEEK, Secretary



CALIFORNIA STATE PRINTING OFFICE
FRANK J. SMITH, Superintendent
SACRAMENTO, 1923

Journal of the Senate

FOURTY-SEVENTH SESSION

Legislature of the State of California

1853

PRINTED BY
JAMES W. BAKER, AT THE
OFFICE OF THE CLERK OF THE SENATE,
IN THE SENATE CHAMBER, SACRAMENTO,
CALIFORNIA, 1853.

THE STATE OF CALIFORNIA,
COUNTY OF SACRAMENTO.



W. H. BAKER, CLERK OF THE SENATE.

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CALIFORNIA LEGISLATURE—SENATE.

FORTY-FIFTH SESSION.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, January 8, 1923.

The hour of twelve o'clock m. having arrived, Hon. C. C. Young, Lieutenant Governor and President of the Senate, called the Senators and Senators-elect to order, and announced that the forty-fifth session of the Legislature of the State of California was about to convene, and informed the Senators that the following officers of the Senate during the forty-fourth session of the Legislature were in their respective places in the Senate Chamber, as required by section 237 of the Political Code: Grace S. Stoermer, Secretary, James A. Miller, Minute Clerk, and Thomas A. Brown, Sergeant-at-Arms.

PRAYER.

By invitation of the President, prayer was then offered by the Rev. Bryant Wilson of Sacramento.

RESOLUTION.

The following resolution was offered:

By Senator Burnett:

Resolved, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read, and on motion of Senator Burnett adopted.

CERTIFICATE FROM SECRETARY OF STATE.

By direction of the President, the Secretary read the following certificate of duly elected Senators of the forty-fifth session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over State Senators, together with those duly elected at the general election, held on the seventh day of November, A. D. 1922, to represent the people of the State of California at the forty-fifth session of the Legislature of the said State of California, as appears from the statement of vote received from the county clerks of the several counties and the registrar of voters of the city and county of San Francisco, comprising the several Senatorial Districts of the State of California, said statement of vote being a record of and on file in my office, viz:

HOLD-OVER SENATORS.

Name	District	County or counties comprising district
H. C. Nelson-----	First -----	Del Norte, Humboldt, Trinity, Tehama.
Thomas Ingram -----	Third -----	Plumas, Sierra, Nevada, Placer, El Dorado.
B. F. Rush-----	Fifth -----	Napa, Solano.
J. M. Inman-----	Seventh -----	Sacramento.
Will R. Sharkey-----	Ninth -----	Marin, Contra Costa.
M. B. Johnson-----	Eleventh -----	San Mateo, San Benito, Santa Cruz.
Frank M. Carr-----	Thirteenth -----	Alameda.
A. H. Breed-----	Fifteenth -----	Alameda.
Vacancy. Special elec- tion January 30, 1923, to fill vacancy-----	Seventeenth -----	Monterey, San Luis Obispo.
Lester G. Burnett-----	Nineteenth -----	San Francisco.
Charles W. Godsil-----	Twenty-first -----	San Francisco.
Walter A. McDonald-----	Twenty-third -----	San Francisco.
F. A. Arbuckle-----	Twenty-fifth -----	Ventura, Santa Barbara.
A. E. Osborne-----	Twenty-seventh -----	Santa Clara.
Dwight H. Hart-----	Twenty-ninth -----	Los Angeles.
Harry A. Chamberlin-----	Thirty-first -----	Los Angeles.
Joseph A. Rominger-----	Thirty-third -----	Los Angeles.
Egbert J. Gates-----	Thirty-fifth -----	Los Angeles.
Newton M. Allen-----	Thirty-seventh -----	Los Angeles.
Walter Eden-----	Thirty-ninth -----	Riverside, Imperial, Orange.

SENATORS-ELECT.

Name	District	County or counties comprising district
F. J. Powers-----	Second -----	Modoc, Lassen, Siskiyou, Shasta.
Fred C. Handy-----	Fourth -----	Lake, Mendocino, Colusa, Glenn.
Dr. W. F. Gates-----	Sixth -----	Butte, Sutter, Yolo, Yuba.
Herbert W. Slater-----	Eighth -----	Sonoma.
Frank S. Boggs-----	Tenth -----	San Joaquin, Amador.
Lewis L. Dennett-----	Twelfth -----	Tuolumne, Mariposa, Stanislaus, Merced, Alpine, Mono, Madera, Calaveras.
T. C. West-----	Fourteenth -----	Alameda.
Edgar S. Hurley-----	Sixteenth -----	Alameda.
Victor J. Canepa-----	Eighteenth -----	San Francisco.
P. J. Gray-----	Twentieth -----	San Francisco.
John Joseph Crowley-----	Twenty-second -----	San Francisco.
Daniel C. Murphy-----	Twenty-fourth -----	San Francisco.
M. B. Harris-----	Twenty-sixth -----	Fresno.
Herbert C. Jones-----	Twenty-eighth -----	Santa Clara.
Ralph E. Swing-----	Thirtieth -----	San Bernardino, Inyo.
John Creighton-----	Thirty-second -----	Kings, Tulare, Kern.
Charles W. Lyon-----	Thirty-fourth -----	Los Angeles.
A. Burlingame Johnson-----	Thirty-sixth -----	Los Angeles.
Charles H. V. Lewis-----	Thirty-eighth -----	Los Angeles.
Ed. P. Sample-----	Fortieth -----	San Diego.

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this sixteenth day of December, A. D. 1922.

[SEAL]

FRANK C. JORDAN, Secretary of State.

The President directed the Secretary to call the roll of hold-over Senators.

ROLL CALL OF HOLD-OVER SENATORS.

The roll was called and the following answered to their names:

Senators Allen, Arbuckle, Breed, Burnett, Carr, Chamberlin, Eden, Gates, E. J., Godsil, Hart, Ingram, Inman., Johnson, M. B., McDonald, Osborne, Rominger, Rush, and Sharkey—18.

The President directed the Secretary to call the roll of Senators-elect.

ROLL CALL OF SENATORS-ELECT.

The Secretary called the roll of Senators-elect, and the following answered to their names:

Senators Boggs, Canepa, Creighton, Crowley, Dennett, Gates, W. F., Gray, Handy, Hurley, Johnson, A. B., Lewis, Lyon, Murphy, Powers, Sample, Slater, Swing, and West—18.

The President announced that the roll call disclosed eighteen Senators-elect present.

The President requested the Senators-elect to immediately present themselves at the bar of the Senate in order that the oath of office might be administered to them, and that they might subscribe to the same.

OATH OF OFFICE ADMINISTERED.

The eighteen Senators-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by the Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

ROLL CALL.

The President called the Senate to order and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Whereupon the President announced their qualification, and declared that a quorum of all the Senators was present.

LEAVE OF ABSENCE.

Senator Nelson was, on motion of Senator Crowley, granted leave of absence for this day.

APPOINTMENTS BY SECRETARY.

MR. PRESIDENT: I beg leave to announce that by virtue of the authority vested in me by section 237 of the Political Code, I have made the following appointments of attaches for the temporary organization of the Senate:

Postmistress, Mary L. Finney.

Page, Robert Zarrick.

Gatekeeper, R. S. Philpot.

GRACE S. STOERMER, ¹⁴⁻Secretary of Senate.

TEMPORARY ORGANIZATION EFFECTED.

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate?"

RESOLUTION.

The following resolution was offered:

By Senator Gates:

Resolved, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro tempore;
Secretary of the Senate;
Sergeant-at-Arms;
Minute Clerk, and
Chaplain.

Resolution read, and on motion of Senator Gates adopted.

NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEMPORE
OF THE SENATE.

The President thereupon declared nominations for the office of President pro tempore of the Senate in order.

Senator Carr placed in nomination for the office of President pro tempore of the Senate the Hon. Arthur H. Breed of Alameda County, State Senator from the Fifteenth District.

Senator Gates seconded the nomination of Senator Breed.

The President put the question, "Are there any other nominations for President pro tempore of the Senate?"

There being no response, the nominations were declared closed.

The roll was called, with the following result:

For HON. ARTHUR H. BREED—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis Lyon, McDonald, Murphy, Osborne, Powels, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

Whereupon the President declared Senator Arthur H. Breed duly and unanimously elected President pro tempore of the Senate for the forty-fifth session of the California Legislature.

OATH OF OFFICE OF PRESIDENT PRO TEMPORE.

The President appointed Senators Carr, Dennett and Swing to escort Senator Breed to the bar of the Senate, where the following constitutional oath of office was administered to him by Hon. Wm. M. Finch, Presiding Justice of the District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of President pro tempore of the Senate, according to the best of my ability.

NOMINATIONS FOR AND ELECTION OF SECRETARY OF THE SENATE.

The President declared nominations for Secretary of the Senate in order.

Senator Gates placed the name of Joseph A. Beek of Balboa, Orange County, in nomination for Secretary of the Senate.

Senator Breed seconded the nomination of Joseph A. Beek for Secretary of the Senate.

The President put the question, "Are there any further nominations for the office of Secretary of the Senate?"

There being no response, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JOSEPH A. BECK—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Whereupon the President declared Joseph A. Beck duly and unanimously elected Secretary of the Senate.

NOMINATIONS FOR AND ELECTION OF SERGEANT-AT-ARMS.

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Chamberlin placed the name of Joseph F. Nolan of Los Angeles in nomination for Sergeant-at-Arms of the Senate.

Senator Allen seconded the nomination of Joseph F. Nolan for Sergeant-at-Arms.

The President put the question, "Are there any further nominations for the office of Sergeant-at-Arms of the Senate?"

There being no response, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JOSEPH F. NOLAN—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Whereupon the President declared Joseph F. Nolan duly and unanimously elected Sergeant-at-Arms of the Senate.

NOMINATIONS FOR AND ELECTION OF MINUTE CLERK OF THE SENATE.

The President declared nominations for Minute Clerk of the Senate in order.

Senator Godsil placed the name of James A. Miller of San Francisco in nomination for Minute Clerk of the Senate.

Senator McDonald seconded the nomination of James A. Miller for Minute Clerk.

The President put the question, "Are there any other nominations for the office of Minute Clerk of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JAMES A. MILLER—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—35.

Whereupon the President declared James A. Miller duly and unanimously elected Minute Clerk of the Senate.

NOMINATIONS FOR AND ELECTION OF CHAPLAIN.

The President announced nominations for the office of Chaplain of the Senate in order.

Senator Arbuckle placed the name of Rev. Wm. E. Harrison of Sacramento in nomination for Chaplain of the Senate.

Senator Allen seconded the nomination of Rev. Wm. E. Harrison for Chaplain.

The President put the question, "Are there any further nominations for the office of Chaplain of the Senate?"

There being no response, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For REV. WM. E. HARRISON—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Whereupon the President declared Rev. Wm. E. Harrison duly and unanimously elected Chaplain of the Senate.

OATH OF OFFICE ADMINISTERED.

The newly-elected officers of the Senate, Joseph A. Beek, Secretary; Joseph F. Nolan, Sergeant-at-Arms, and James A. Miller, Minute Clerk, appeared at the bar of the Senate, where the constitutional oath of office was administered to them by the Hon. Wm. M. Finch, Presiding Justice of the District Court of Appeal, Third District, and they subscribed to the same.

SECRETARY JOSEPH A. BEEK AT THE DESK.

APPOINTMENT BY SECRETARY.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that in accordance with the authority vested in me by section 237 of the Political Code, I have this day appointed G. Melvin Warren Assistant Secretary and Clerk of committee on printing, at a per diem of \$9.00, and respectfully ask the consent of the Senate thereto.

J. A. BEEK, Secretary of the Senate.

Senator Breed moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Sample, Sharkey, Swing, and West—33.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Ingram:

Resolved, That the President of the Senate appoint a special committee of three, to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Ingram adopted.

OATH OF OFFICE ADMINISTERED.

The newly-elected Chaplain of the Senate, Rev. Wm. E. Harrison, appeared at the bar of the Senate, where the constitutional oath of office was administered to him by the Hon. Wm. M. Finch, Presiding Justice of the District Court of Appeal, Third District, and he subscribed to the same.

RESOLUTION.

The following resolution was offered:

By Senator Lyon:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

President pro tempore;
Secretary of the Senate;
Sergeant-at-Arms;
Minute Clerk;
Chaplain.

Resolution read, and on motion of Senator Lyon adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced, in accordance with the above resolution, the appointment of Senators Lyon, Arbuckle and Murphy.

RESOLUTION.

The following resolution was offered: .

By Senator Inman:

Resolved, That the Standing Rules of the Senate of the forty-fourth session of the Legislature of the State of California be and they are hereby adopted as the temporary rules of the Senate of the forty-fifth session, excepting Rule S. and amending Rule 1 to read as follows:

"The sessions of the Senate shall be daily, Sundays excepted, beginning at ten o'clock a. m. unless otherwise ordered by vote of the Senate."

Resolution read, and on motion of Senator Inman adopted.

TEMPORARY RULES OF THE SENATE.

Convening and Order of Business—Hour of Meeting.

1. The sessions of the Senate shall be daily, Sundays excepted, beginning at ten o'clock a.m. unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. The order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading, and Reference of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

Presiding Officers of the Senate—The President.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

The President Pro Tempore.

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and

have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

Presiding by Senators.

6. The President or President pro tempore, in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

Committees of the Senate—Appointment of Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

Schedules for Committee Meetings.

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

Quorum of Standing Committees.

10. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

No Committee Expenditures Permitted.

11. No member of any committee shall except by resolution of the Senate be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the Constitutional Recess, be permitted to visit State institutions for which appropriations are asked, and shall be allowed his actual expenses while on such business.

Special Duties of Certain Committees—Committee on Engrossment and Enrollment.

12. All Senate bills, constitutional amendments, and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The indications of new matter, omissions, or amendments appearing upon the printed bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

Engrossing and Enrolling Bills.

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee and a receipt in writing taken therefor; and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

Committee on Rules.

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

Committee on Contingent Expenses.

15. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.

Committee on Revision and Printing.

16. The Committee on Revision and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

Other Senate Officers—Secretary of the Senate.

17. 1. It shall be the duty of the Secretary of the Senate to attend every session call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

Custody of Bills and Papers.

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

Sergeant-at-Arms of the Senate.

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

Distribution of Printed Matter.

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

Preparation and Introduction of Bills—Introduction and First Reading.

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

Joint and Concurrent Resolutions and Constitutional Amendments.

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur after they have been reported by committee.

Introduction of Bills by a Committee.

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

Introduction of Bills after the Constitutional Recess.

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, nor shall the number to be introduced by any one member be limited.

Bills in Committees—Reference of Senate Bills.

25. At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

Order of Reference.

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Reference with Special Instructions.

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend.

Reference of Assembly Bills.

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engraving and Enrollment for comparison, which committee shall report without delay, whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

Reference of Appropriation Bills.

29. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for adjournment *sine die* shall in all cases whether originating in the Senate or coming from the Assembly be referred to the Committee on Finance.

Notice to Author of Bill.

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Committee Amendments to Bills.

31. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

Reports of Committees.

32. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

Order of Considering Bills—Order of Making File.

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committees shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.

The General File.

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Special Order.

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Three Readings of Bills.

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision).

Ordering Bills to Third Reading.

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

Bills Considered During Last Seven Days.

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll-call.

Questions and Motions—Precedence of Motions During Debate

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Provided, however, that during a call of the Senate, it may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

Amendment or Division of Question.

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

Restrictions as to Amendments.

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

Vote Required for Amendments.

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

Procedure of Debate—Seconding and Announcement of Motion.

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulation as to Speaking.

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Securing of the Floor.

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Order in Debate.

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

The Previous Question.

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Executive Session.

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

Voting by Senate—Calling Ayes and Noes.

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Excuse From Voting.

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Reconsideration of Vote.

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution, has been passed or defeated, fourteen votes to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

When Bill Is Held for Reconsideration.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

When Bill Is Recalled for Reconsideration.

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Debate on Motion to Reconsider.

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

Messengers and Other Papers—Messengers from the Governor.

55. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

Messengers from the Assembly.

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

Consideration of Assembly Messages.

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

Reading of Papers.

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

Contents of Senate Journal—Proceedings to be Printed.

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Titles of Bills to be Printed.

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

Statement of Petitions to be Printed.

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

Other Matter to be Printed.

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.

Legislative Printing—Number of Bills Printed.

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Journals Printed.

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

Number of Other Documents Printed.

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Excess Printing Only on Written Order.

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

Form of Printing Amendments.

67. All bills amended shall immediately be reprinted; the new matter added by any amendments to be enclosed in heavy brackets, and the omission of any matter to be indicated by the insertion of heavy parentheses.

The Senate Chamber—Admission Within Bar of Senate.

68. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

No Lobbying in Senate Chamber.

69. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Maintaining of Order.

70. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

Smoking Within Senate Chamber.

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

Miscellaneous Provisions—Duties of Members.

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Parliamentary Rules.

73. In all cases not provided for by these rules, or by the Joint Rules of Senate and Assembly, the authority shall be Robert's Rules of Order.

Suspension or Change of Rules.

74. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 13, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was offered:

By Senator Sample: Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

Concurrent resolution read.

Senator Sample moved that the resolution be adopted, without reference to committee.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

SENATE CONCURRENT RESOLUTION No. 1.

Relative to inaugural ceremonies.

Resolved by the Senate, the Assembly concurring. That a committee of three members of the Senate be appointed to confer with a committee of four from the Assembly, to make arrangements for the inaugural ceremonies, said committee to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises. Any expenses to be paid equally by the Senate and Assembly out of their several contingent funds, and not to exceed in the aggregate the sum of \$500.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

MOTION.

Senator Slater, moved, seconded by Senator Boggs, that when the Senate adjourn this day it do so out of respect for the memory of the late Senator Elmer S. Rigdon of Cambria, California, and that the President appoint a committee of three to prepare appropriate resolutions to be presented to the family of the deceased.

Motion unanimously carried, by a rising vote of the Senate.

REPORT OF SPECIAL COMMITTEE.

The following committee report was received and read:

SENATE CHAMBER, SACRAMENTO, January 8, 1923.

MR. PRESIDENT: Your special committee appointed to notify the Governor of the organization of the Senate and that the Senate is now ready to receive any communication the Assembly may have to make, respectfully reports that they have communicated with the Assembly as directed.

LYON,
ARBUCKLE,
MURPHY,
Committee.

REPORT OF SPECIAL COMMITTEE.

The following committee report was received and read:

SENATE CHAMBER, SACRAMENTO, January 8, 1923.

MR. PRESIDENT: Your special committee appointed to notify the Governor of the organization of the Senate and that the Senate is now ready to receive any communication he may have to make, respectfully reports that they have communicated with the Governor as directed.

INGRAM
RUSH,
SLATER,
Committee.

RESOLUTION.

The following resolution was offered:

By Senator Godsil:

Resolved, That the Controller be, and he is hereby, directed to draw his warrant in favor of the Secretary of the Senate for the sum of one hundred dollars for rubber stamps, expressage and postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Godsil moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. E., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—35.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Canepa:

Resolved, That a special committee of three members, consisting of Senator Breed and two other Senators whom Senator Breed is hereby authorized to appoint, be appointed to provide a list of attaches to be appointed for the Senate and to designate the persons to be appointed to such positions.

Resolution read, and on motion of Senator Canepa adopted.

APPOINTMENT BY THE SERGEANT-AT-ARMS.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that I have this day appointed Harry Caro bookkeeper to the Sergeant-at-Arms, and respectfully ask the consent of the Senate thereto.

JOSEPH F. NOLAN, Sergeant-at-Arms.

Senator Breed moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, W. F. Gates, E. J. Godsil, Gray, Handy, Hart, Ingram, Inman, Johnson, M. B. Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly is duly organized by the election of the following officers, namely:

1. Speaker—Frank F. Merriam.
2. Speaker Pro Tempore—Frank W. Anderson.
3. Chief Clerk—Arthur A. Ohnimus.
4. Minute Clerk—C. William Booth.
5. Sergeant-at-Arms—W. J. Leflar.
6. Chaplain—William H. Moreland.
7. Assistant Chief Clerk—Ellsworth E. Eustice.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has this day adopted Assembly Concurrent Resolution No. 1, and requests your honorable body to concur in same.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Chief Clerk.

Assembly Concurrent Resolution No. 1 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 1 was concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, W. F. Gates, E. J. Godsil, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B. Johnson, M. B. Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Relative to canvassing vote for Governor and Lieutenant Governor.

Resolved by the Assembly, the Senate concurring. That the Senate and Assembly meet in joint session in the Assembly Chamber at 11 o'clock on the forenoon of Tuesday, January 9, 1923, for the purpose of being present when the Speaker of the Assembly shall open and publish the returns of the election for Governor and Lieutenant Governor, as provided and required by Article V, section 4, of the constitution of the State of California.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Assembly.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1 relative to inaugural ceremonies.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Chief Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

APPOINTMENT OF COMMITTEE.

Pursuant to the provisions of Senate Concurrent Resolution No. 1, the President of the Senate appointed Senators Sample, Sharkey, and Boggs as a committee to confer with a committee of four from the Assembly to arrange for the ceremonies in connection with the inauguration of Governor-elect Friend W. Richardson and Lieutenant Governor-elect C. C. Young.

ADJOURNMENT.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate adjourned in respect for the memory of the late Senator Elmer S. Rigdon.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, January 9, 1923.

The Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Wm. E. Harrison of Sacramento.

OATH OF OFFICE ADMINISTERED.

Senators-elect Jones and Harris, being present, came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by Hon. C. C. Young, President of the Senate:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator according to the best of my ability.

ROLL CALL.

The President directed the Secretary to call the roll of Senators Jones and Harris. The roll was called and Senators Jones and Harris answered to their names as follows:

Senators Harris and Jones—2.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 8, 1923, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read and ordered printed in the Journal:

THIRD BIENNIAL MESSAGE OF GOVERNOR WILLIAM D. STEPHENS.

To the Senate and Assembly of the State of California.

In accordance with my constitutional duty, I hereby communicate to you my third biennial message concerning the affairs of the State, with such recommendations as I deem appropriate at this time.

In presenting this message I am reminded that I am now concluding six years in office as Governor of California. During that time the people of California have witnessed some of the most significant events and remarkable developments that this State and nation have known—the crisis of a World War, the subsequent readjustment of social, economic and business conditions, and the development which has given to California the unique and compelling distinction of being the most prosperous section of the Union agriculturally, industrially, commercially and financially during the years of prevailing national and world depression.

We are now confronted with the prospect of an unprecedented development and expansion for which the foundations have been well and truly laid. It is broadly true that progress in education, industry, agriculture and commerce rests back upon the principles of government in which these are fostered, and upon the practical encouragement and protection given to these interests of our people by the State. Whatever fiscal readjustments you may be called upon to effect, under limitation of revenues or other cause, I hope you will find means to enable the State to keep pace with the demands of progress witnessed in all lines of activity throughout our commonwealth. California with its vast undeveloped resources, and advancing population, has need of governmental projects and policies unequalled for in the stable and settled states of the East.

At the same time I trust I may not exceed the proprieties, if I venture to hope that the governmental institutions which have been created and fostered under progressive and humane policies and measures, initiated by my predecessor and myself, and which I firmly believe have placed the State of California in a commanding and envied position among all the states of the Union, may be continued and protected by the Governor whom the voters have, in their wisdom, chosen to succeed me, and for whom I wish personally and administratively the utmost success in accomplishing the will of the people.

Before proceeding with an analysis of the present financial condition of the State, and a reference to some of its departmental activities, permit me to review two or three special matters of vital interest and importance to us all.

VETERANS WELFARE PROGRAM.

One of the outstanding achievements of this State has been the adoption of the soldier welfare program of which its promoters and the entire State may justly be proud, possessing as it does qualities of economic advantage to the State and of self-respecting benefit to the men who have so worthily served their country in the great wars in which we have been engaged.

The basis of this soldier welfare program lies in the genuine spirit of patriotism among the citizenry of this State, exhibited so triumphantly upon every patriotic demand during the war, whether in the enlistment of California's sons in the Army, Navy and Marine Corps, into which they went 135,205 strong and in which 3750 of them made the supreme sacrifice, or in the purchase of liberty bonds by our people to finance the war in every issue of which we went over the top, or in the Red Cross and other relief measures, in all of which our people responded with a consecration that makes the memory of the task a most gratifying one. So, that when in my first biennial message to the Legislature in 1919 I urged that this State cooperate in providing for the rehabilitation and reeducation of those who might return maimed or crippled or needing facilities for the attainment of self-support and in which I recommended the application of the land settlement principle for the benefit of returning soldiers, I found a hearty response among our legislators and people generally.

This sentiment found practical expression in the veterans welfare legislation and appropriations of 1921 which had my active support and executive approval. This legislation included four general provisions: First, the Veterans Welfare Act, creating and defining the powers of the Veterans Welfare Board with an appropriation of \$1,000,000 to carry out the provisions of the act; second, the Veterans Educational Act, appropriating \$500,000 to assist in giving certain educational benefits to war veterans; third, the Veterans Farm and Home Purchase Act, carrying an appropriation of \$2,000,000; fourth, the Veterans Bond Act, enabling the Veterans Welfare Board to issue and sell State bonds in a maximum amount of \$10,000,000. Of the latter amount, \$2,500,000 is returnable to the general fund in the State treasury during the present fiscal year in accordance with the legislation of 1921, thus reducing by approximately \$3,000,000 the appropriations mentioned above.

In the submission of this Veterans Bond Act for the approval of the people, I gave myself without reserve to its advocacy in all of my public addresses, and it was with the deepest gratification to me that the people of the State by an overwhelming majority in the election of last November approved these bonds for the welfare of the veterans.

In justice to all veterans concerned it should be said that the ten million dollars made available through the bond issue will but partially meet the requirements of the veterans for whom the welfare program is intended. Up to the present time applications have been received by the Veterans Welfare Board for loans under the Veterans Farm and Home Purchase Act from 9098 veterans. Of this number 2525 applications have come from wounded and disabled soldiers, and these are given preference under the act. It will require the full \$10,000,000 to provide for the disabled group alone leaving practically nothing available for loans to able-bodied veterans. In view of the fact that these funds are all returnable to the State with interest, and that all that the State is giving to the veterans is the use of its credit, with the result that a stimulus will be given to land settlement and to home building, and in recognition of our debt to our war veterans, I recommend that you take into serious consideration what further steps may be necessary to provide for loans to the remaining number of applicants not provided for in the bond issue recently passed.

CONSTITUTIONAL PROHIBITION ENFORCEMENT.

California has, through ratification by the people of the Wright Act passed by the Legislature of 1921 and by its adoption of the provisions of the Volstead Act, as the law of this State, taken its rightful place as a State in support of the national constitutional prohibition amendment.

From the beginning of my administration as Governor, and long before that time, I have been by personal conviction, through my study of social and economic conditions an opponent of the liquor traffic, and I have on all occasions as a citizen and in my public life consistently supported every reasonable measure calculated to reduce the evils of that traffic. As a member of Congress I voted for the submission of the amendment to the federal constitution providing for national prohibition. I was the first Governor of California that ever announced in the platform of his candidacy his support of prohibition, which I did in my pre-primary announcement of 1918. In the same year I secured the adoption by the State Republican Convention of a platform favoring the ratification of the federal dry amendment by the Legislature at its next session. In due time the Legislature ratified the Eighteenth Amendment to the constitution. In the same session of the Legislature, in April, 1919, the Harris bill was passed, but was voted down by the people at the election in November, 1920. Finally, in May, 1921, the Wright prohibition enforcement bill was passed by the Legislature and approved by me, declaring that "the courts of this State are hereby vested with the jurisdiction, and the duty is hereby imposed upon all prosecuting attorneys, sheriffs, grand juries, magistrates and peace officers in the State, to enforce the same." This statute was submitted by referendum to the vote of the people in the recent general election in November, 1922, and by a substantial majority was approved and has thereby become the law of this State.

THE ORIENTAL PROBLEM.

Two measures have been adopted by this State looking to the preservation of the rights and privileges of American citizens and of others eligible to citizenship in connection with the development of the soil and its products within this area, and with the social and economic welfare of our people. The first was the Anti-Alien Land Law passed by the Legislature of 1913, forbidding ownership of agricultural lands by persons ineligible to citizenship and limiting their tenure to three-year leaseholds. The second was the initiative measure, submitted to the people with my active support in the election of November, 1920, and approved by an overwhelming majority vote which forbids the leasing of lands by persons ineligible to citizenship and also makes more effective the provisions against evasion of the act by corporations controlled by such persons.

The Legislature of 1921 enacted a law levying a poll tax of ten dollars on all male alien inhabitants of this State, and requiring such aliens to register in the counties, or in the cities and counties, wherein they may reside. The Supreme Court of California declared this act to be unconstitutional, basing its decision on certain treaty rights of Japanese protecting them from taxes that discriminate against them in comparison with taxes levied against American citizens. It does not appear, however, from this decision that there is anything to prevent the State of California from providing for a registration of all peoples ineligible to citizenship who are residents of this State, and I recommend as a means of keeping a careful watch upon the growth of the Oriental problem in this State, that a law be passed by the Legislature, providing for such registration and for the enforcement of the same.

The duty of the Legislature of this State, however, in this great problem can not be fully met by its own legislation. The welfare of this State is bound up in the national policy. The menace involved must be controlled at its source—in the immigration that comes into this country. On November 13, 1922, the Supreme Court at Washington rendered an important decision, determining that only persons of the white or Caucasian race are eligible for naturalization into American citizenship. Japanese are, therefore, debarred from naturalization. This decision amply justifies the laws which have been enacted by California as a safeguard to her own citizenship. The incompatibility of Japanese with American citizenship indicates clearly enough their inability to assimilate with the social relationships and with the economic standards of American life.

In its final solution this Japanese problem must be met by Congress. The best figures available indicate that the Japanese population of California comprises between 80 and 85 per cent of the total Japanese population of continental United States, and the safety and welfare of this State demand that Congress be educated as to the seriousness of this problem. In 1920 the State Board of Control, by my instruction, made a survey of the Japanese situation in California, and compiled the results of that survey in an exhaustive report, which I forwarded with my letter of transmittal to the Secretary of State at Washington, and to every member of Congress. This report created such a widespread interest in the problem, and inquiries became so numerous from all parts of the country, that it was necessary for the Legislature of 1921 to provide for a reprint of 10,000 copies for distribution. With the interest already awakened in many other states, it is now opportune to press upon Congress the necessity and importance of passing an exclusion act prohibiting further immigration of people ineligible to citizenship into the United States, and providing for the registration of all said people within the boundaries of the United States at the time of passing such an act. Unless this is done, it is apparent to me that the Japanese problem will become even more serious than it is now, and increasingly difficult to solve.

ADMINISTRATIVE REORGANIZATION.

I desire to call your attention to the progress which has been made in the matter of administrative reorganization. When I took office as Governor there were upwards of one hundred appointive administrative agencies acting more or less independently of one another and with some overlapping. Realizing that this involved waste and inefficiency, I determined upon a policy of State governmental reorganization. Accordingly in November, 1918, I issued a letter inviting a small group of prominent citizens of the state to act as a Committee on Efficiency and Economy. The findings of this committee were submitted to the Legislature of 1919, with my recommendation that as a first step in the direction of reorganization for greater efficiency, the State Department of Agriculture be established, embracing all of those activities of the State having to do with plant and animal industries. The results in this department proved so successful, that at the 1921 session of the Legislature I submitted a plan for the further reorganization of the State government, which, with slight modifications, was enacted into law and is now in operation. By this reorganization some sixty-three State agencies were consolidated into six major departments, the Department of Finance, the Department of Education, the Department of Public Works, the Department of Agriculture, the Department of Institutions, and the Department of Labor and Industrial Relations. The agencies not included in the final reorganization expend less than fifteen per cent of the State's

total expenditures; thus, more than eighty-five per cent of all of the State's expense comes under the jurisdiction of these six major departments, and seventy-three appointments have been eliminated from executive patronage, and sixty-one appointments have been changed to positions having advisory powers only.

During the one and one-half years in which this reorganized plan of administration has been in operation, I have been convinced that it has added greatly to the efficiency of the State government. I am also satisfied that it has reduced the overhead expenditures of the agencies thus consolidated, that is, upon the basis of the business previously done by those agencies. Of course, the business of all departments has greatly expanded with the growth of the State and the general overhead has increased accordingly. One point in which I have been particularly gratified is that while this reorganization has increased the efficiency, and has decreased relatively the overhead expense of the government, it has not in any case eliminated any function of governmental service that is vital to the welfare, whether material or humane, of the State and its people. The development of the progressive ideal in democratic government has brought to the fore not merely a larger measure of participation by the people in government, but it has also emphasized the moral and humane aspects of legislation and administration. No reduction of State activities should be permitted to eliminate or vitally injure any of those services or functions of government that have proven to be beneficial to the people, or that in their nature are vital to the higher welfare of the State.

STATE EXPENDITURES.

The appropriations made by the Legislature of 1921, and approved by me for the two-year period ending June 30, 1923, amounted in all to \$42,652,624.01. In addition to this amount, the fixed charges under constitutional and statutory provision, amounted to \$46,159,199.15, making a combined total for the two-year period of \$88,811,823.16. This was the exact and total amount of the final budget approved by me.

I was compelled by the nature of the financial situation with respect to available revenues and above expenditures, to veto appropriation bills passed by the Legislature of 1921, amounting in all to \$3,397,520. It will be remembered that the large increase of appropriations and fixed charges for the two-year period ending June 30, 1923, over those of the previous two-year period was chiefly due to the large increase in fixed charges for education, the increased expenditure for this one function of the State being \$20,557,883, of which \$18,069,651 were fixed charges.

Following the appropriations made by the Legislature of 1921, I instructed the State Board of Control to exercise its supervisory powers with a view to such economies as might avoid the possibility of deficits in the various departments and reserve, if possible, a portion of the amounts already appropriated by the Legislature. Accordingly the Board of Control established a policy of a ten per cent unbudgeted reserve in the annual budgets of the various departments, releasing or transferring from this unbudgeted reserve only such amounts as in its judgment would be absolutely necessary for the efficient and economical management of the business of the State. The result of this policy of control, and of the careful management and cooperation of the departments, was that the Board of Control was able to report to me at the close of last fiscal year a conservation of \$5,456,879.39 in the funds of the State available for expenditure, including \$829,000 actually saved in the appropriations, and \$4,627,873 conserved within departmental revenues. I am advised that there is a good prospect for a similar saving in appropriations for the current fiscal year which will make a total saving in appropriations for the two-year period ending June 30, 1923, of at least \$1,500,000. There is also every prospect that the conservation within the self-supporting departments, amounting to \$4,627,873 on June 30, 1922, will be further increased to an amount in excess of \$5,000,000 by June 30, 1923.

Deducting the above saving of \$1,500,000 for the current biennium from the total budget of \$88,811,823.16 approved by me leaves a net amount of \$86,711,823. This amount is further reduced by the return of \$2,900,000 provisionally appropriated for the work of the Veterans' Welfare Board, to be refunded to the general fund out of the proceeds from the sale of the \$10,000,000 of Veterans' Welfare Bonds. When this \$2,900,000 is deducted from the above \$86,711,823, it leaves a balance of \$83,811,823 net expenditures chargeable to appropriations and fixed charges for the two-year period ending June 30, 1923.

There is still due the State from the larger public utility companies \$5,600,000 for taxes levied as of March, 1921.

NEW SOURCE OF REVENUE—NORWALK PROPERTY.

The revenues of the state are at the present time drawn mainly from the taxation of public utilities, banks and insurance companies, general franchise taxes, inheritance taxes, license taxes, fees by Secretary of State, interest on deposits in banks, delinquent property tax redemptions, fees from Supreme and Appellate Courts, collections from punitive and reformatory schools, and miscellaneous receipts. In addition there are certain operative departmental revenues not paid into the general

fund but which go to meet departmental operative expenses not provided for by appropriations.

It is evident that under present growing conditions of the State consideration should be given to any further sources of revenue that may be made available to provide for the pressing needs of State departments and to avoid the possibility of an ad valorem tax.

It has developed within the past year, that the State is in possession of certain property capable of producing revenue to a very large amount. Indeed there are a number of State properties in the vicinity of oil fields that may prove to be very valuable from a revenue standpoint. One of the most valuable proven oil fields in the State, if not in the world, lies immediately adjacent to the Norwalk State Hospital grounds, and a report submitted by the State Mining Bureau shows a large part of this State property to be in what is termed a known geological structure producing oil. The adjacent oil field is known as the Santa Fe Springs oil field, and some of the wells are producing over 4000 barrels a day of oil, running as high as 36 degrees gravity. One of the newest producing wells is located about 600 feet from the hospital line. Other wells are being drilled on all sides. The State property includes a main parcel of 272.08 acres on which are located the hospital buildings, and a smaller parcel of 65.63 acres about one-half mile southeast.

While it is possible to continue the work of the hospital so far as the present accommodations will permit for a period of possibly two or three years, even though the oil development should be extended to portions of the hospital property, it is apparent that the oil development must eventually crowd out the efficient operation and the comfort of the institution. Owing to these conditions the building program inaugurated there has been discontinued. Unless immediate action is taken by the Legislature to provide for the development of this property for the oil that is in it, the surrounding oil wells will soon drain off much of the State's share in the underlying oil deposits.

Individual wells in the Santa Fe Springs field are producing oil to a value of over \$2,000,000 per year at the present rate of production. Assuming a development of two or three wells to the acre over any considerable portion of the 272 acres in the main parcel of the hospital property, it becomes apparent that an immeasurably large revenue may be obtained from this property.

The Legislature of 1921 passed an oil leasing bill which was approved by me, and which I understood at the time as applying to public, but not to proprietary State lands, and believing that it was not contemplated by the Legislature that this act should apply to operative property of the State, such as that of our State hospitals. I approved of the decision of the Surveyor General, supported by the Board of Control, not to issue a permit for prospecting on the Norwalk State Hospital property. Subsequently an applicant for a permit filed suit for mandamus to compel the Surveyor General to issue an oil prospecting permit on this property, and a hearing of this suit was held by the Supreme Court in San Francisco on December 4, 1922, but at the time of preparing this message a decision had not been rendered.

Subject to the said suit, if then pending, and to the decision if rendered, I recommended that the Legislature amend the said Oil Leasing Act of 1921, so that it can not possibly be applied to the proprietary lands of the State.

I also recommend that provision be made for the securing of another site in Southern California for the erection thereon of buildings to which may be transferred the work of the Norwalk Hospital.

In view of the tremendous revenue-producing value to the State of the Norwalk Hospital property it should not be sold. I, therefore, recommend the earliest possible legislation to secure for the people the benefits of the revenue now locked up in the oil deposits assuredly there. And I submit for your consideration two alternative suggestions.

(a) The Legislature to provide a special plan for leasing the Norwalk State Hospital property for oil production upon a bonus and royalty basis. I am advised that the cost value of the 272.08 acres of land was \$87,975, and that there has been expended in improvements on the property \$833,898, making a total investment by the State in the 272 acre tract of \$920,973. The 65.63 acre parcel has an additional cost value of \$19,785. Any method of leasing should provide for the assured realization of the above funds invested in the property. To get the largest and surest results from leasing the property should be subdivided into parcels of from twenty to forty acres each, and separate leases made for each of said parcels, each lease protecting the State adequately and according to the usual procedure in oil leases with respect to the obligation of lessees to produce oil within a specified period of time, and to continue the production of oil for a minimum number of days each year.

Inasmuch as every twenty to forty acres may be capable of supporting many wells, and consequently large revenues may be realized out of the production alone through each lease, I would recommend if leases be made that they be made on a basis of competitive bids as to royalty. Informal offers have already been made to lease on a basis as high as a thirty per cent royalty, and a fifty per cent royalty has even been suggested. Under the known conditions of this oil field high percentage royalties may be expected on a basis of competitive bidding. Then a plan should be

devised for distributing the investment cost of the land and buildings over the various twenty to forty acre parcels by a system of cash bonuses to be required as a condition of the respective leases.

(b) The Legislature to appropriate a sum of money not to exceed half a million dollars as a revolving fund for the development of this property for oil by the State itself said revolving fund and control of the development to be placed in the hands of the Board of Control or the Department of Public Works. The legal power of the State to produce and sell oil from its own property may be questioned and this phase of the matter should be carefully considered, so as to avoid any possible tying up of the property for an extended period of time through injunction suits or otherwise. However, I am informed that the State expended in the year 1921 for its own use in fuel and lubricating oil, gasoline, distillate and kerosene, the total sum of \$910,415; and in addition thereto, for road oil and asphalt, the sum of \$118,236. The records show that the annual expenditures for these purposes is rapidly increasing. Hence, if the plan of State development for oil on its own property should be adopted by the Legislature there would appear to be some justification of the principle from the standpoint of the State's own need of oil and its by-products.

It is interesting to note that in the allotment of school lands by the federal government to the State of Minnesota, and to the State of Oregon, these states became possessed of lands in which are located large and valuable deposits of iron ore in Minnesota and valuable timber in Oregon. Under the provisions made by these states their state universities will share largely in revenues that will come from these lands, and it is believed that these universities will find their ultimate permanent support chiefly if not entirely from these sources.

California can likewise avail herself of the revenues that may be derived from her oil bearing properties for the benefit of such State activities as may seem to come appropriately under such provision. Accordingly, I recommend for your consideration that out of the net proceeds received from oil production on the Norwalk State property a certain proportion, perhaps one-half, be set aside as a reserve fund, and that the remainder be used as a contingent appropriation on a percentage basis to certain of the State functions not adequately provided for out of the regular legislative appropriations; as for instance, a fixed percentage according to the respective needs to each of such activities as the University of California, the State Teachers Colleges, the State Hospitals, the Department of Agriculture and the Board of Forestry.

This whole matter should be very promptly and carefully worked out, as it is fraught with great possibilities of benefit to the State. At the same time no undue speculation as to possible profits should be indulged in, because even the most promising oil fields sometimes bring their disappointments.

STATE BANKING CONDITIONS.

The banking situation, according to the report of the Superintendent of Banks, reveals a condition of marvelous prosperity throughout the State. At the close of the last fiscal year California was fifth in the United States, exceeded only by New York, Pennsylvania, Illinois and Massachusetts in the aggregate resources in banks under State jurisdiction. On June 30, 1922, the amount of assets in the State banks, both savings and commercial, was \$1,657,940,000. On June 30, 1917, the aggregate assets of the State banks, both savings and commercial, amounted to \$929,224,000, showing an increase between the two dates in five years of the astounding sum of \$728,716,000. In the fiscal year ending June 30, 1922, the increase of assets in State banks amounted to \$161,904,000 over the previous year.

During the last fiscal year seventeen national banks with three branch offices sold their assets and transferred their deposit liabilities to state banks. During the same year thirty-six State banks with 113 branch offices were organized, making a total of 429 State banks with 281 branch offices operating under the laws of the State of California. Of these 67 are commercial banks, 99 are savings banks, 7 are trust companies, 232 are commercial and savings departmental banks, and 24 are commercial, savings and trust company banks. At the close of the last fiscal year there were 2,531,624 depositors in the State banks, a gain of 265,250 depositors in one year.

Such a growth of State banks in wealth and in banking power reveals not only a condition of present prosperity, but as well a firm foundation for a period of unprecedented development in the years to come.

STATE RAILROAD COMMISSION.

One of the vital activities of this state is the regulation of its public utilities by the Railroad Commission under the constitutional and statutory laws of the State. A large part of the revenues of the State comes from the taxation of these utilities. The welfare and comfort of the people are involved in the extensions and services of these utilities and in the rates charged for their services. It is the function of the State Railroad Commission to so regulate these utilities that their operation may be maintained on an economical and efficient basis, and their usefulness extended according to the best interests of the State, with no undue burden upon the ratepayers in the rates charged for services rendered.

The work of this commission necessarily demands facilities for expert and thorough investigation of all utilities by a corps of trained engineers and accountants sufficiently salaried to warrant them in remaining in State service. Inadequate facilities for such complex and technical work may defeat the purpose for which regulation was established and leave the commission dependent upon the utilities themselves for the data with which they must proceed. The cost of maintaining the work of this commission is approximately \$438,300 per annum for the regulation of utilities having operating revenues amounting to \$777,675,000, and operating expenses amounting to \$585,955,000 per annum, and from whom \$24,625,000 per annum is received in taxes by the State.

During the past year the commission rendered 1444 decisions and instituted 28 proceedings on its own motion. There were held 1088 hearings in different parts of the State and 4950 informal complaints were handled in one year. Valuations of practically all important utilities have been acquired. Investigations into the operation and service of these utilities have been made. Accordingly, it may be possible in the future to set up more definite and accurate standards which the utilities may be expected to observe.

The Railroad Commission states in its annual report that the sum of \$20,350,000 has been saved to the public through reductions that have been effected, as follows: Electric rates, \$6,000,000; gas rates, \$2,000,000; railroad rates, \$10,450,000; express rates, \$1,000,000. I am advised that since their report was filed a further great saving has been effected through recent decisions.

Utilities reporting to the Railroad Commission show at the close of the calendar year of 1921 a considerable increase in net revenues. Operating revenues for steam and electric railways, gas, electric, water, telephone, telegraph, carriers by water, wharfingers, and warehouse utilities totaled \$777,674,991 as compared with \$735,048,864 for the preceding year, an increase of \$42,626,127. Operating expenses for 1921 were \$585,945,737 as against \$509,015,657 in 1920, a decrease of \$13,060,920. Combining the increased revenue with the lower costs shows a net gain of \$55,687,047. During the past year authorization was granted by the Railroad Commission to California utilities to issue securities for additions and betterments amounting to \$148,925,206; and a total of securities for all purposes amounting to \$188,401,250, including \$19,075,793 for refunding purposes, mainly to take advantage of improved interest rates.

The Railroad Commission is a regulative body of a judicial character with initiatory powers, and is charged with the duty of meting out justice to both sides of every issue. It was established under a mandate from the people of the State, to safeguard communities from abuses of capital control in the use of public franchises. It is inherent in the very nature of public service franchises, that the first obligation of those enjoying the control of those franchises is toward the people by whom the franchises were given. Not only is the safety and permanency of the regulative principle involved in the proper interpretation of the law governing public utilities, but as well the continuance of the trust committed by the people to the corporate holders of these franchises.

If these interests of the State are to be properly safeguarded, and justice done to all sides of each issue, it is necessary not only that the commission, the people, and the corporations fully realize these principles, but that the regulating body be adequately provided with the facilities necessary for independent investigation to secure data upon which their decisions must be based.

EDUCATION.

The primary assets of any state or nation are its children, and our teachers are the chief makers of our civilization. Our material developments will last for a time, but the making of our people's character is a matter for all time to come.

It is, therefore, a perfectly logical thing that the establishment and maintenance of our schools and colleges should bulk large in the regular expenditures of the State. Over fifty one per cent of the total appropriations and fixed charges for the two-year period ending June 30, 1923, was for education. Of the total budget of \$88,211,823, the sum of \$45,188,666 was applied to elementary, secondary, and vocational schools, teachers colleges, and the State University. Of this amount 57.3 per cent was applied to the public schools, 5.3 per cent to the teachers colleges, and 22.5 per cent to the State University.

1. Elementary and Secondary Schools.

By the constitutional amendment approved by a vote of the people in 1920, the State's contribution to the support of public schools was established on a basis of not less than \$30 per pupil in average daily attendance in the day and evening elementary, secondary and technical schools in the public school system during the next preceding school year. This resulted in an increase of 110 per cent in the expenditures of the current biennium over those of the previous biennium. In other words, while the 1919 budget provided \$14,423,325 for the above mentioned schools, the budget of 1921 was forced under the constitutional amendment of 1920 to provide \$30,491,980 for the same purpose.

I have never had any regret that this increase was made by the people themselves, because it has enabled the school boards to pay the school teachers a reasonable salary for their invaluable services, and because it is indicative, not only of our growing educational population, but also of our growing interest in our public schools.

The average daily attendance in our elementary schools for the last three years shows an average increase of seven per cent per annum, and it is reasonable to assume that the increase per annum in the next two years will be as great. The average increase over the past three years in the high schools was eighteen per cent per year. This large increase may be partially explained by the special development in part-time instruction, and in Americanization classes. It must be borne in mind, however, that the incoming population of California is largely comprised of families with such a proportion of children of high school age as will make the annual increase in high school attendance greater than that of the elementary schools.

2. Teachers Colleges.

The enrollment in the teachers colleges, the support of which is not a fixed charge but a matter of appropriations, is growing more rapidly than in any other group of institutions. The approximate enrollment for the teachers colleges, exclusive of the training schools, for the past four years, is as follows: Seventy-first fiscal year, 2750; seventy-second fiscal year, 3100; seventy-third fiscal year, 6000; seventy-fourth fiscal year, 8000, an increase of over 190 per cent in four years. This reveals the necessity for greater support of these teachers colleges, not alone for maintenance but also for buildings.

Whatever may be the difficulties in meeting these requirements, it should be remembered from our experience in connection with the retarding of school construction during the years of the War, succeeded as these years were by a forced building program that was almost impossible to bear, that whenever the necessities of school life are held back for a period of years, such retardation only means larger expenditures later on.

3. University of California.

The University of California is inevitably expanding with the growth of the State. The enrollment on November 1, 1922, was 13,931, not including summer session enrollment of 8297, nor enrollment for University extension work of 21,000. The total enrollment of 13,931 includes 2935 attending the Southern Branch of the University in Los Angeles. The development of State junior colleges has materially relieved the pressure of increasing attendance at the University, particularly in the first two years. Nevertheless, there is a steady increase in University enrollment especially in the southern branch and a corresponding increase in the total expense of operation and equipment.

The University appropriations and fixed charges for the two-year period ending June 30, 1923, amounted to \$9,738,904, and increased amounts will be required for the future to meet the extraordinary growth of the southern branch at Los Angeles, and the urgent needs of agricultural education.

STATE LIBRARY.

California has made the most distinctive development, during the past six years in the use of books for the education and enjoyment of all her citizens. The State Library, containing 350,000 volumes, is available to every individual in the State through the medium of the public and county library systems. In 1917, the county libraries, which are of particular importance because they touch the lives of the men, women and children living in comparative isolation, numbered 35, with book resources of 750,000 volumes. Today, the 42 organized county libraries have more than 2,140,000 volumes. The books of the State, whether in the State Library, public libraries, or county libraries, are so readily interloaned that perhaps never in the world's history have the people of any commonwealth been able to use and enjoy, with such accessibility, the literature of this and other countries.

AGRICULTURE.

California is preeminently an agricultural State. It has a land area of 155,652 square miles with a population of about 4,000,000, while the combined land area of the four great states, New York, Pennsylvania, Illinois and New Jersey, is 156,043 square miles, with a population of over 28,000,000. California has 45,800 square miles, or 29,365,000 acres, in cultivated farms. The total value of all farm property in this State amounts approximately to \$3,500,000,000. The value of products of the soil in 1921 was \$635,519,000. California's output of fruits is equal to about one-half of the total value of fruits of the entire country.

In harmony with these conditions, the State Department of Agriculture has been organized and advanced to such a point of efficiency that the United States Department of Agriculture has freely acknowledged our department's supremacy among the state agricultural departments of the union. The reorganization of 1919, recommended by me, and which brought all of the State activities related to the plant and animal industries into one department with five divisions, made possible this efficient organization.

1. Agricultural Legislation.

The Legislature of 1921, with my active support, distinguished itself with more advanced agricultural legislation than any previous Legislature in the history of the State. Among the new laws passed in 1921, were the Pure Seed Law under which the standardization of agricultural seeds was authorized and a Seed Testing Laboratory was established in cooperation with the Federal Department of Agriculture; the Control and Destruction of Predatory Animals Law which provides for the protection of live stock from the depredations of these animals; the Grain Standards Act, providing for the voluntary licensing and bonding of agricultural warehouses; and the Economic Poisons Act. Among the new laws passed affecting the animal industry were the Tuberculosis Free Act; the Accredited Herd Act, and the Slaughter House and Meat Inspection Act. Other laws were passed amending previous statutes to provide for more adequate service along various agricultural lines.

2. Plant Quarantine.

The Director of Agriculture calls attention to the importance of plant quarantine in this State. In less than five years the Mediterranean fruit fly destroyed the peach and nectarine industries of Spain, and practically eliminated the orange industry of that country. If this pest should gain entrance to this State it would bring an incalculable loss to our State through the destruction of some of our citrus and deciduous fruit industries. The alfalfa weevil has spread over counties in the State of Nevada, and the dangerous white pine blister rust has appeared in the northern borders of the Pacific Slope. The danger to California of these and other alien enemies of our plant life is becoming very real from year to year, and illustrates the importance of materially strengthening and enlarging our plant quarantine program. The State of Florida has spent over \$1,300,000 in an eradication campaign against the citrus canker, Massachusetts is forced to spend hundreds of thousands of dollars annually in an effort to control the gypsy moth, and many thousands of dollars are being spent in the Southern States in an attempt to control the Mexican bean beetle.

To protect California from plant pests every boat that touches our shores from foreign or interstate ports is examined by horticultural officers for contraband material. Every freight train crossing our State border and carrying plant material is met and inspected. If such protection were not given California would be likely within a few years to find her entire fruit areas devastated by plant diseases.

3. Standardization.

The standardization work on fruits and vegetables, essential for the building up and maintaining of our fruit-producing credit, has progressed materially during the past year. The Bureau of Standardization has developed, to a high degree of efficiency on a self-supporting basis, a commercial shipping point inspection service for fruits and vegetables.

4. Animal Industry.

The Division of Animal Industry has rendered protection to livestock producers by preventing, controlling and eradicating transmissible animal diseases, and also protection to the public health by efficient inspection of animal food products.

5. Support.

Toward the fostering of this great agricultural industry in our State, the Legislature of 1921 appropriated the total sum of \$1,115,040 for the two-year period ending June 30, 1923. It is evident that this is one of the departments that may reasonably be expected to command increasing support incident to the growth of the industry, and the broadening efforts to cope with its problems.

STATE LAND SETTLEMENTS.

Although California ranks fifth among the states in her value of agricultural products, this wealth is drawn from a comparatively small portion of the State's area. A great influx of settlers and an enormous increase of wealth and production await the stimulus of further aid and direction by the State through land settlements, tending to make rural life more attractive and give broader opportunities to men of moderate means.

The establishment of the Durham and Delhi colonies has demonstrated the value to the State and to its agricultural progress of the land settlement plan. These two settlements have been created under legislation, fathered and supported by me, which gives settlers 36½ years' time in which to pay for farms, with interest at 5 per cent on deferred payments. It provides for the creation of communities large enough to give settlers the benefit of expert advice and direction, and it enables them to cooperate in carrying out developments and in the business management.

The Durham settlement, including approximately 6400 acres of land, which unfriendly critics previously called "a malaria marsh unfit for human habitation," has become the home of 139 settlers and their families, all enjoying prosperity and health, and the benefits of unusual community privileges.

Delhi, with 8600 acres of land, which the enemies of the State's policy called "a windswept desert of shifting sand," has been transformed into alfalfa fields, orchards and vineyards on which 217 families now live and where 400 families will live when the development is completed. Before the State bought the Delhi lands the rental income was about \$44,000 per year. Competent experts predict that within ten years the crops from this land will be worth \$1,000,000 per year.

What the State has done at Durham and Delhi needs to be done on 15,000 acres awaiting development in the Happy Valley district, on 100,000 acres in the Merced district, on 250,000 acres in the larger Madera district, on 300,000 acres in the Imperial Valley, and on other thousands of acres elsewhere in California.

CALIFORNIA STATE FAIR.

The annual State Fair at Sacramento shows encouraging progress for the past six years. In 1916 the attendance was 110,000 and in 1922 it was 160,000. Premiums for exhibitors and races have advanced from a total of \$58,000 in 1916 to \$87,000 in 1922. The number of counties exhibiting has increased from 14 in 1916 to 36 counties in 1922. Live stock entries have increased from 1600 in 1916 to 2300 in 1922. The horse show has grown from 40 entries in 1916 to 200 in 1922.

A notable expansion has taken place in the exhibition of tractors and farm machinery, the space occupied having increased from 200 square feet in 1916 to 75,000 square feet in 1922. Another significant growth has been in the educational exhibits. Although an additional 10,000 square feet was added for this purpose last year, the exhibits were so crowded that the directors are seeking for an appropriation to meet further extension.

Live stock valued at over \$2,000,000 was shown in 1922, the largest exhibit ever shown in the West, not excepting the Panama-Pacific Exposition.

STATE EXPOSITION AT LOS ANGELES.

Exposition Park, located in Los Angeles, comprises 130 acres owned by the State, title being vested in the Sixth District Agricultural Association. The land has an inventoried value of \$1,000,000, but is worth considerably more at this time.

The State maintains a State Exposition Building here for the purpose of housing "a permanent, classified exposition of the resources and industries of California." The exhibits cover agriculture, horticulture, animal industries, manufactures, mines and mining, forestry, fish and game, and scenic attractions. This exposition, open all the year, is one of the most valuable means of educating the vast number of tourists visiting Los Angeles as to the resources and attractions of all California.

The National Guard Armory is also located on the exposition property.

The State leases to the county of Los Angeles a portion of the property, which is occupied by the Museum of History and Art. The remainder of the property is leased to the city of Los Angeles, and on this portion has recently been erected, by the Community Development Association, a stadium at a cost of \$900,000 that is one of the largest structures in the world, with a seating capacity for over 75,000 people.

STATE CORPORATION DEPARTMENT.

The increasing volume of work done by the State Corporation Department is another evidence of expanding business conditions in this State. During the past biennium this department has authorized the issuance of securities to an aggregate par value of \$1,452,594,000. Of this amount the par value of bonds, notes, etc., was \$168,354,000. During this period a total of 15,990 permits were issued by the department, and a total of 3700 permits were revoked. To meet the increasing demands of this work, the personnel of the department has been increased approximately 24 per cent, with a proportionate increase in cost of equipment and salaries.

The department has vigorously prosecuted undesirable promoters and unscrupulous salesmen in its effort to curb security frauds. Business trusts, cooperative loan companies, and other organizations, some of which have sought to evade their just obligations, have been brought under the regulations of the Corporate Securities Act by advice of the Attorney General of the State. Amended legislation to strengthen the regulation of the promotion of securities may be presented for your consideration and no doubt will have your careful attention.

REAL ESTATE DEPARTMENT.

It is inevitable that the increasing population and growing prosperity of our State should be accompanied by a great expansion in real estate activity. With this expansion many dangers and evils are likely to arise which must be guarded against, while legitimate business must be safeguarded and fostered. During the past two years land has been subdivided for promotional purposes, both in the large centers and in rural districts, especially in the vicinity of the oil fields. Propositions with merit and without merit have been placed on the market. Thousands of the poorer classes of people have lost all their savings by turning over their money to unscrupulous promoters. Manifestly these conditions are a menace to the prosperity and welfare of the State, and it was to meet such conditions particularly that the State Real Estate Department was established. The Los Angeles office of this department for months has held an average of four to five hearings, formal and informal, per day.

During the year 1922, this department issued over 37,000 real estate license certificates. The results of the work of the department have inspired confidence not only among the better class of real estate men, but also among investors, homeseekers and developers throughout the State and the entire country.

STATE INSURANCE COMMISSIONER.

The insurance business is an inseparable part of the progress of any State. Through no other medium can the economic and social conditions and the rapid growth of a commonwealth be more clearly indicated.

The increase in the volume of life business, the stabilizing of the accident and health business, the strict conformity to the provisions of the Workmen's Compensation Act, and the prompt recognition of their obligations on the part of insurance carriers of all lines in California, have contributed much to the advancement and contentment of our citizens.

The sound financial condition and conservatism in investments, and the cooperation of the insurance companies of this State with the State Insurance Commissioner, demonstrates the integrity of our insurance institutions and the high character of the men in executive control. The public confidence in the strength of these institutions, temporarily shaken in some instances by the great San Francisco conflagration, is now entirely restored.

INDUSTRIAL AND SOCIAL RELATIONS.

1. Industrial Accident Commission and State Compensation Fund.

The establishing of the State Compensation Insurance Fund in 1914 was one of the most progressive measures ever adopted by this State. Workmen's compensation insurance has been accepted by employers, employees and the public at large as an equitable way of relieving distress on a business basis, and has assisted in reducing the friction between employers and employees. Human wastage is now recognized as one of the essential items in the operating cost of industry. The State Compensation Insurance Fund received an original appropriation of \$160,000, which under the act of 1921 was returned to the State treasury. The compensation fund has been so efficiently and economically managed that according to available records, its overhead expenses are proportionately less than one-half of the expenses of other compensation insurance companies, with many advantages at the same time to policyholders through dividend returns. The premiums paid into this fund in the first year of its existence, 1914, amounted to \$500,000. The premium income for 1922 was approximately \$5,000,000. This beneficial and financially successful State institution deserves encouragement. Any attempt to reduce the efficiency or scope of the business of the State Compensation Insurance Fund should be vigorously resisted by the Legislature.

2. Labor Commissioner.

Industrial employment at the present time, aside from seasonal conditions, is generally good throughout the State. During the winter season of 1921-1922, when there was a condition of general unemployment throughout the United States, this State suffered to some extent from the migration of unemployed from other parts of the country. But through the diligent service of our State employment bureaus under the direction of the Commissioner of Labor in cooperation with employers, and owing to the large building activity extending throughout the State, and the speeding up of State highway and building construction, the threatened unemployment in California was largely relieved, and in the early months of 1922 had practically disappeared. Seven State employment bureaus have secured employment during the year 1921 for 132,133 persons, and during ten and one-half months of 1922 for 222,911 persons, showing a very great increase in the value of this service.

3. Industrial Welfare.

The Industrial Welfare Commission has advanced the minimum wage for women from \$10 per week in 1917 to \$13.50 per week in 1919, and to \$16 per week in 1920. The minimum wage has been recently sustained at \$16 in the mercantile industry, and it is expected that this minimum will be extended to other industries. In 1917 90 per cent of the women workers in California received less than \$16 per week. Today 90 per cent receive \$16 per week and over. In the mercantile, laundry and manufacturing industries, employing 67,000 women, 60 per cent receive \$17 and over per week. California is the only state where wage regulation has had adequate financial support, and it is to be hoped that the efficiency and facilities of this commission may be maintained.

4. Immigration and Housing.

The Immigration and Housing Commission has been the friendly helper of thousands of strangers and foreigners in our midst. Through its Bureau of Complaints it has met and relieved many distressing situations, and by its community organization and information it has assisted many foreign-born people in our State to become truly Americanized. Its work of inspection of labor camps, as well as its efforts to improve housing conditions among the foreign-speaking communities of our populous centers, has contributed to a better understanding by immigrants of our social, sanitary and economic standards and ideals.

WOMEN'S AND CHILDREN'S WELFARE.

Some of the most advanced steps for the welfare of women and of children in this State have been taken during my administration and with my hearty approval.

1. Women's Welfare Legislation.

The amendment to the national constitution granting to women equal franchise with men was ratified by the Legislature of California in November, 1919, at a special session which I called for that purpose. While a member of Congress I was ever an advocate of woman suffrage, and when in 1916 the measure giving the franchise to women in this State was before the voters of California, I spoke throughout southern California in its behalf.

In 1917 I approved, as Governor, a bill of the Legislature making women eligible for election as school trustees, and in 1919 I approved a bill making women eligible to act on juries. In 1917 and 1919 I approved amendments to earlier statutes, improving the provisions for limiting the hours of labor for females. In 1919 I approved amendatory legislation making more effective the regulatory work of the Industrial Welfare Commission with respect to a minimum wage for women. I have supported advanced legislation respecting community property rights of women, and I am in favor of the Legislature at this session amending the community property law of the State with proper safeguards to business stability and responsibility to enable women to make testamentary disposal of their share of community property.

2. Children's Welfare Legislation.

The minimum age for child labor in street trades was advanced from 10 to 12 years in 1917 under my approval. The Bureau of Child Hygiene, established in 1919, and the Division of Dental Hygiene, established in 1921, operate for the benefit of the children.

In 1919 the Legislature proposed a constitutional amendment, which was approved by vote of the people in 1920, authorizing the Legislature to increase the State aid to needy children from \$6.25 to \$10 a month per child and a new group of needy children was added to the list of beneficiaries under this State aid to include children of tubercular and permanently incapacitated parents. The total expenditures by the State for this purpose in the year ending June 30, 1921, amounted to \$1,200,000, and the amount expended in the year ending June 30, 1922, amounted to \$1,340,000. No expenditures for material advancement can be justified equally with the money expended by the State for the protection and welfare of its children.

3. Home for the Adult Blind.

The State maintains an Industrial Home for Adult Blind in Oakland where the blind are taught trades and encouraged to assist in their own support. There are about 2000 adult blind in the State who can not be cared for in this institution. Obviously the aged blind should be maintained in the homes of their relatives, or by local charities in the homes for old folks. Only those are admitted to the Industrial Home for Blind who can be taught some of the various trades, and use their training in at least partial self-support, and this policy should be maintained. The results of this institution have been gratifying in this respect.

HEALTH CONDITIONS.

1. Board of Health.

The health conditions of the State show gratifying improvement. The Board of Health reports that typhoid fever has almost been banished from California. The death rate in this State from typhoid fever in 1921 was about one-tenth of what it was in 1906, when vital statistics were first recorded. The tuberculosis death rate has also been reduced from 216.7 deaths per hundred thousand population in 1906 to 150.7 deaths per hundred thousand in 1921. The fact that this death rate is still high is chiefly due to the attractiveness of this climate to tubercular patients from the East, who are too far advanced in the disease to find complete recovery. But, with the financial aid now given by the State for these patients in county hospitals, and with proper education in respect to the control of this disease, it is hoped to greatly reduce this condition. Influenza has been reduced to the vanishing point both in prevalence and in virulence as compared to the years 1918 and 1919.

Among the beneficial activities of the Board of Health has been the sanitary inspection of automobile camps, the revision of plans for municipal and community sewage disposal and water supplies, and the inspection of milk under the California Milk Law, which is one of the best in the United States and has helped to reduce the infant mortality rate for California to 66.3 per hundred thousand population, one of the lowest rates for any state in the Union. The availability of the Sheppard-Towner fund, which I accepted from the federal government, has facilitated the organization and formulation of a comprehensive and constructive program for the conservation of child life, prenatal and maternity welfare. The results attained by this department, together with its vital relation to the welfare of the people, have amply justified the support given to it by the State.

2. Other Health Boards.

To the Board of Health, the Board of Medical Examiners, the Board of Pharmacy, the Board of Dental Examiners, and the Board of Optometry, have now been added through initiative measures, carried by vote of the people in the election of November, 1922, the Board of Osteopathic Examiners, and the Board of Chiropractic Examiners.

3. State Hospitals.

The State hospitals for the insane administered by the Department of Institutions show a gradual but persistent increase in the number of patients. The records show that in 1918 the number of patients was 10,296, while in 1922 the number was 11,291. One of the gratifying aspects of the work in the State hospitals for insane is the percentage of cures that are effected, as the following list of percentages of recoveries to admissions show, namely, in the year 1918, recoveries were 23.66 per cent of the admissions, and 27.43 per cent in 1919, 26.45 per cent in 1920, 21.5 per cent in 1921, and 24.3 per cent in 1922.

On the basis of the increases during the past two years, it may be expected that in the next two years there will be an increase of over 800 patients. At the present time these hospitals are seriously overcrowded by an excess of 800 patients. Provision will, therefore, have to be made for additional building accommodations for patients in these hospitals.

This problem of accommodation is further seriously increased by the situation at Norwalk Hospital, which was established in 1913, to relieve the overcrowded condition in the other hospitals. The oil development which has taken place in the immediate area around that hospital makes it all the more necessary to immediately provide for the purchase of land elsewhere in southern California, and the erection of buildings on the new site, so that the hospital work can be transferred to the new location within a period of two years.

4. Pacific Colony.

The provision of the State for homes for mentally deficient youths is inadequate. The number of inmates at present accommodated in Sonoma Home is 1596, and there is a waiting list of over 800 applicants, designated as suitable for admission to such a home. The home at Pacific Colony has 22 inmates, but the development of this institution has been retarded by the lack of a satisfactory water supply on the property where the present building is located. There are two parcels of land connected with Pacific Colony, which is located near Pomona in southern California. One of these properties has 800 acres and it is on this property that the one building is located, and on which there is not an adequate supply of water. The other property contains about 200 acres, and is some miles away from the main property, but on one of the boulevards and close to railroad transportation. I am advised that the purchase or condemnation of a piece of approximately 40 acres adjacent to the above 200 acres will provide a good location, with adequate water supply, for the development of Pacific Colony. I recommend that the Legislature make provision for the purchase, or condemnation, if reasonable purchase can not be made, of the 40 or more acres tract above referred to and that buildings be proceeded with on the 240-acre tract out of the special appropriation made by the Legislature in 1921.

HOUSES FOR VETERANS AND THEIR WIDOWS.

The State assists in the maintenance of two homes for aged or infirm veterans and their widows. One of these is the Veterans' Home at Yountville, in which there are about 470 Civil War veterans more than 75 years of age, who are gradually diminishing in numbers, and Spanish-American War veterans whose numbers are increasing. The other is the Woman's Relief Corps Home near San Jose, now accommodating about 30 widows, sisters and daughters of Civil War veterans. This home is urgently in need of additional building accommodation for about 30 more members. Both of these homes are rendering a service of patriotic love to some of those to whom this country is greatly indebted for their heroism and fidelity in a time of national need.

PENAL AND CORRECTIVE INSTITUTIONS.

The growth of population, and the imperfect conditions of social and economic environment, are inevitably attended by a proportionate increase in delinquency and crime. Society must protect itself against the menace involved, and consequently prisons and reformatories are necessary institutions.

1. Penal Institutions.

Attention is called to the alarming growth of population at San Quentin and Folsom prisons. In San Quentin there are 600 more prisoners than there were two years ago. The present population is about 2400, not including 258 paroled for work in road camps. If the population should increase as it has in the past two years, San Quentin would have 2910 prisoners by June 30, 1924, and 3494 by June 30, 1925. This will be far beyond the corrective and healthful accommodations of this prison. Folsom is also crowded with a population of 951 inmates, mostly second termers, not including 179 paroled for road construction. Both prisons are overcrowded to such an extent that the pernicious practice of confining two male prisoners in a single cell is, in large measure, made necessary.

At San Quentin, a jute mill for the manufacture of bags, and a factory for the manufacture of all kinds of office and institutional furniture, as well as other industries, engage the occupation of a large number of prisoners, and at Folsom quarrying and farm work are the main occupations. The cost of the maintenance of these institutions is necessarily increasing with the growth of their populations.

2. Corrective Institutions

The Whittier State School for Boys, the Preston School of Industry, and the California School for Girls at Ventura, are classified, not as penal but as corrective institutions, because, while their inmates have been committed under the Juvenile Court Law for delinquencies of various kinds, these are boys and girls from 8 to 21 years of age, susceptible of reformation by education, and experience has demonstrated the possibility of redeeming a large percentage of them to be useful members of society.

At Whittier and Preston regular schools are conducted and the boys are trained in farming, printing, blacksmithing, auto repairing, carpenter work and furniture making, shoemaking, bakery, tailoring and laundrying.

At Ventura, in addition to regular school work, the girls are trained in domestic work, sewing, gardening, typewriting and commercial work.

Whittier had an enrollment in November, 1922, of 306 boys from 8 to 16 years of age, and 56 employees; Preston had 430 boys from 15 to 21 years of age, and 123 employees; and Ventura had 155 girls and 54 employees.

These schools have attained a national reputation for efficiency in standards and results. Human redemption comes through knowledge. By the training received at these corrective schools, hundreds of boys and girls of delinquent tendency are saved from becoming a criminal menace to society.

3. Industrial Farm for Women.

The Industrial Farm for Women was established under the authority of an act passed by the Legislature in 1919 as a corrective institution for delinquent women committed by the courts. It was opened during the last year, and has now 43 inmates. While it has been questioned whether the institution would in any effective measure solve the problem or relieve the menace involved, it must be remembered that the social delinquencies of these women are not necessarily such as would justify crowding them into our prisons to associate with depraved criminal characters.

It would be unjust to determine the usefulness of this institution upon its first year's trial with constitutional tests pending and under adverse circumstances of equipment, and before its availability and value could be recognized generally by the courts throughout the State.

CHARITIES AND CORRECTIONS.

It is the function of the State Board of Charities and Corrections to license and inspect all charitable organizations, including child-placing agencies, institutional homes for children, maternity homes and hospitals, rescue homes and day nurseries. It also exercises advisory oversight of the social welfare of the wards of the State in hospitals, reform schools, reformatories for women, institutions for feeble-minded, homes for the blind, and State prisons, and in county hospitals, almshouses, detention homes and jails.

The board reports in the State at the present time 15 State institutions, 62 county hospitals, 58 county jails, 24 detention homes, 74 children's institutions, 60 day nurseries, 7 rescue homes, 257 maternity wards. The inmates of the above institutions number upwards of 57,000 persons.

PUBLIC WORKS.

1. State Highways.

The agricultural and industrial development of the State is very intimately related to the improvement of its roadways. An influential factor in attracting settlers and tourists to California is the accessibility of interior sections of the State and the comfortable means of transportation by State highways.

Of the 64,000 miles of rural roadways in the State, the completed and contemplated State highway system covers only one-tenth of the total mileage, or 6400 miles. Of this amount approximately 2500 miles have been completed, and approximately 1065 miles were under construction June 30, 1922. Including the 1065 miles of highways now under construction, there remains a total of 39000 miles to be completed within the present program of the highway system.

One of the problems before the State is whether this limited extent of highway mileage is to be made available by moderate cost per mile for the rural and mountainous sections of the State, which are the most needy and susceptible of development, or whether the State's funds should be expended on a much smaller and more centralized area of highway improvement. Upon the determination of this problem rests the policy as to the character and expense of the highway pavements to be built. Believing that the proceeds of highway bonds hitherto authorized by the vote of the people of the entire State should be applied as widely as possible, I have favored the construction of our highways at a moderate cost per mile, thereby securing greater mileage at the same total outlay than could be secured by the initial construction of heavier and wider pavements. Moreover, it has been established that these pavements of moderate cost, when thicker and wider pavements are required, can be salvaged at from 75 to 90 per cent of their original cost. The widening and thickening has been made necessary by reason of the fact that the motor vehicle traffic of the State has increased over 1700 per cent in the last ten years, the period in which the present highway system has been under development.

In this financial period the State has received \$48,488,240 on its highway system and within a year or two will have exhausted the funds remaining from the sale of authorized highway bonds. A considerable part of the highway system is to be completed, and if the department is to be maintained only on city bonds, it will be necessary to provide some method for the securing of additional funds to finance this work.

2. State Buildings.

The Division of Architecture of the Department of Public Works, under which the building construction of the State is carried on, reports that the work handled during the period of fifteen months from August 1, 1921, to November 1, 1922, in offices in Sacramento:

Buildings completed.

114 construction projects handled under appropriations of 1921, costing approximately	\$670,336
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15 construction projects handled under previous appropriations, costing approximately	255,120
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Buildings held in progress.

76 construction projects handled under appropriations of 1921, costing approximately	1,184,215
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11 construction projects handled under previous appropriations, costing approximately	3,839,847
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Total	\$5,950,028
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San Francisco State Building.

The original bond issue to provide for the cost of the State building in San Francisco amounted to \$1,000,000. A subsequent appropriation was made by the Legislature of \$250,000. This has not proved sufficient to complete the building and an additional appropriation will be necessary.

State Capitol Extension Buildings.

The original bond issue to provide for the cost of the State Capitol extension buildings at Sacramento was for \$2,000,000. An additional amount of \$300,000 was appropriated by the Legislature in 1921, with which to finance the sale of the bonds which bore only a 4 per cent rate of interest. A further appropriation will be necessary, owing to the increased cost of materials and labor since the original estimates were made.

Printing Plant Building in Sacramento.

The appropriations made by the legislature to cover the cost of site and building for the State Printing Plant amounted to \$175,000. Owing to engineering advances as to the dangerous condition of the present printing plant, it was deemed advisable to proceed with the outer construction of the new building as planned, and to await further appropriation to complete and finish the building in detail.

3. Reclamation Work.

During the six years of my administration the actual development of reclamation projects among the swamp and overflowed lands within the Sacramento and San Joaquin valleys has been realized. These lands were deeded to the State of California by the federal government in 1850 on the understanding that they would be so reclaimed and developed. Various acts by Congress and by the State Legislature led up to the establishment of the Reclamation Board in 1911, which, however, exercised police powers only until 1917, when the way for action was cleared by a decision of the Supreme Court, affecting the control of lands involved in the State reclamation projects. Since the beginning of 1918, the Reclamation Board has expended in reclamation work \$10,177,000, provided by assessments on lands benefited by the reclamation work.

In addition to the above, the State, under a contract with the federal government for the deepening and straightening of the Sacramento River, toward which each government has agreed to contribute a total of \$6,280,000, has already appropriated over the period from 1918 to 1923 inclusive, a total of \$2,850,000. The State also appropriated in 1919, with my approval, the sum of \$3,000,000 to be paid over a period of ten years, for the construction of the Sutter by-pass.

The State as a whole is greatly benefited by these developments in Sacramento Valley because of greatly increased taxable land values, increased volume of production, and improved navigation facilitating the transportation of products to the shipping centers and markets. Lands under this reclamation development are selling at as high as ten times their cost before the reclamation work began. The people in the above mentioned valleys, on the other hand, have constructed other reclamation and flood control works at their private expense totaling something over \$50,000,000.

The Legislature of 1921 with my active support appropriated for flood control in Los Angeles County the sum of \$6,000,000 to be paid over a period of ten years. This was in addition to \$830,000 appropriated in 1919.

This reclamation work is of vital importance to the State, not only in its relation to the reclamation of lands otherwise of little use, but also as a protection against the menace of floods to life and property, and it should be proceeded with as rapidly as possible, until the program of needed work has been completed.

4. Engineering and Irrigation.

Through the Division of Engineering and Irrigation the regulatory powers of the State are applied to organized irrigation developments. The marketable value of the securities of irrigation districts is thereby enhanced.

This division during the past biennium acted upon the organization of 33 irrigation districts having a combined area of 1,803,221 acres. Investigations are now in progress as to the feasibility of three water storage districts.

Irrigation district projects financed by more than \$600,000,000 worth of bonds have been investigated and reported upon and the division is now exercising general supervision of the expenditure of this vast sum. It has passed on plans for the construction of dams having estimated costs amounting to nearly \$8,000,000 and these dams are now being constructed under inspection by this division. Work of this kind requiring the most careful inspection is rapidly increasing in volume.

It is expected that the stupendous task of investigating the water resources of the entire State, for which an appropriation of \$200,000 was made at the 1921 Legislature, will soon be completed. This report will present a comprehensive statement of the water resources in all parts of the State, the irrigation requirements of all agricultural lands, the maximum storage and use of all waters, and plans for development with costs.

5. Water Rights.

The Division of Water Rights now does the work of the former State Water Commission, and its purpose is to provide the legal machinery by which new vested rights to the use of water may be acquired, while at the same time rights which have already vested by use may be protected. All new rights by appropriation must be acquired through procedure set forth in the Water Commission Act under the supervision of this division. A complete record is kept of the progress made from time of filing until use of the water is made available.

COLORADO RIVER COMPACT.

I will submit for your ratification at this session, a compact, under the act of Congress, approved August 19, 1921 (42 Statutes at Large, page 171), between the States of California, Arizona, Nevada, Colorado, New Mexico, Utah and Wyoming, which was agreed upon by a representative of the United States designated by the President and representatives of the above mentioned states, the representative of California being the Chief of the Division of Engineering, Department of Public Works. This contract pertains to the equitable division and apportionment of the use of the waters of the Colorado River system; to the establishing of the relative importance of different beneficial uses of water; to the assurance of interstate comity; to the removing of present and future controversies; to promoting the expeditious agricultural and industrial development of the Colorado River basin and the storage of its waters; and to the protection of life and property from floods.

The compact being approved by the Attorney General of this State as to its legal form, I recommend it for your ratification, believing as I do that it will contribute largely to the conservation and early development of an extensive area within the State of California, and to the other important ends described in the compact.

MOTOR VEHICLE DIVISION.

The motor vehicle traffic of California is evidence of the enormous development and progress that have been made in this State during the past six years. At the end of 1916 the total motor vehicle registration of all kinds was 282,945. On July 31, 1922, the total registration was 987,436, an increase of 249 per cent in six years.

Under the California Motor Vehicle Act all money received by the Motor Vehicle Division is deposited in the State treasury. Part of the funds goes to meet the expenses of the Motor Vehicle Division. All of the remainder, amounting to at least 90 per cent of the "Motor Vehicle Fund," is divided equally between the State and the counties, one-half being transferred to the State Highway Division of the Department of Public Works for the maintenance and improvement of State roads and highways, and one-half paid into the road fund of the several counties on a pro rata basis, to be expended exclusively in the construction and maintenance of roads, bridges and culverts in said counties respectively.

FORESTRY.

At the Legislature of 1921, an appropriation of \$300,000 was made for the purchase of certain tracts of timber land in Humboldt and Mendocino counties with a view to the preservation of the redwoods. Of this appropriation the sum of \$261,305 has been expended in the purchase of 1654 acres in eight tracts, having an estimated timber value of \$340,000. In addition, the Board of Forestry has secured from private owners the donation to the State of 605 acres of redwoods in ten tracts, having an estimated timber value of \$112,500, and this board has under negotiation the securing by donation of a further 300 acres containing 17,000,000 feet of redwood timber, having an estimated value of \$102,000. This work can not be praised too highly for its value to the future of this State in the preservation of these incomparable woods which are among the chief glories of California and which otherwise would be destroyed by commercial development. At the same time the

Board of Forestry is giving invaluable aid to fire prevention throughout the State. This also is a most important factor in the conservation of our water supply. A far-sighted policy will take care of these natural resources, and provide for reforestation on a much broader scale.

SAN FRANCISCO HARBOR.

The harbor at San Francisco is an asset of primary importance to the State. It is the great ocean outlet for northern and central California. The operation of this harbor, with its docks, wharves, terminal buildings, warehouses and other facilities, by the Board of State Harbor Commissioners, has always been self-sustaining. It is necessary, however, for the board to reserve a substantial contingent fund to provide against unfavorable fluctuations of commerce, and the further possibility of emergency expenses in maintenance and operation. The demands of commerce necessitate from time to time entirely new structures and facilities. Owing to the great increase in business of the past year the board is now planning additional improvements.

The harbor business of the seventy-third fiscal year ending June 30, 1922, shows total revenues of \$2,408,844, and total expenses of \$1,942,673, including general maintenance and operating expenses of \$1,317,342, and fixed charges in bond maturities and interest on bonds of \$625,331, giving a net revenue surplus for the year of \$466,161.

MINING CONDITIONS.

It has been claimed that the cost of the Civil War was financed by the gold mined in California during that and the preceding period of years. Since its discovery in 1848 the total production of gold in California has amounted to approximately \$1,750,000,000. The present generation, however, is largely ignorant of the fact that a vast amount of gold remains in the gravels of our ancient river channels. In July, 1920, the State Mining Bureau started a field investigation of the extent and value of these gravels, and as a result of work already completed, the astounding fact has been demonstrated that probably \$2,000,000,000 could be extracted from the placer deposits in the drainage channels of the Feather, Yuba, American and neighboring rivers.

It is now believed by authorities that a system of restraining dams could be built that would not only keep the mine tailings from entering the navigable portions of the rivers, but that would also conserve the flood waters for the use of agriculture. The Mining Bureau looks forward to the time when remedial legislation may be had from the federal government which will enable these enormous resources to be released for the benefit of the State of California.

This has sometimes been called a gasoline age. The development of the oil resources of the State has already placed California in a preeminent position among the states of the Union as regards the output of crude oil. Not only are millions of dollars spent annually in adding to the number of producing wells, but equally large amounts go into the drilling of prospect wells. Last year the oil industry alone brought approximately \$182,000,000 of new wealth into this State.

The mining of clay and the manufacture of its products are among the principal industries in the United States today. California possesses great potential wealth in her clay deposits known to exist in almost every county in the State, and yet, it is surprising to learn that millions of dollars worth of clay products are annually shipped into California from other portions of the United States and from foreign countries.

California also contains inexhaustible supplies of building stone and structural materials, including granite, marble, sandstone, slate, travertine and serpentine. This State also has large deposits of borax, sodium compounds, nitrates and similar materials.

During 1921 there were employed in the mines, dredgers, quarries, cement and brick plants of the State about 13,000 men, and approximately 25,000 men in the oil fields exclusive of refineries. The production for the year of \$268,157,472 worth of minerals, represents in round numbers an average output of \$7,000 for every man employed.

ARGONAUT MINE DISASTER.

During the last year an appalling disaster befell 47 of our fellow citizens through the outbreak of fire in the Argonaut Mine in Amador County in which these men were entombed. The State has never witnessed more heroic efforts to rescue than were displayed with unflagging zeal by the comrades of the entombed men. On learning of the disaster, I immediately communicated with several of the State departments requesting them to give such aid as properly lay within their power to give. Later I appointed a special commission of three citizens to investigate the disaster, and I will submit to you the report of their findings.

CALIFORNIA FISH AND GAME COMMISSION.

The State Fish and Game Commission report that new hatcheries have been built, including the large Tahoe Hatchery with a capacity of 3,000,000 fry. During the past four years there have been reared in the State's hatcheries and planted in streams over 75,000,000 trout and nearly 45,000,000 salmon. The development of

a breeding pond system makes it possible to secure nearly 10,000,000 trout eggs with regularity and with a minimum cost. The equipment used in connection with fish cultural operations now has a value of at least \$350,000.

A campaign of education has included the carrying of the conservation message to children of the public schools and to the thousands of people who gather during the summer season in the various mountain resorts.

Several special problems relating to game are being satisfactorily solved. By means of added patrol and winter feeding the remaining large herd of antelope within the confines of California is being properly cared for. Thousands of deer and quail were saved from starvation last year by artificial feeding during severe winter weather. Due to active patrol measures, market hunting has been largely stopped.

California has by its conservation of fish and game, combined with its wonders of forest and mountain, attained an unchallenged fame as one of the greatest playgrounds of the world, a reputation that may be still further improved by due encouragement of the aims and endeavors of its Fish and Game Commission.

STATE PRINTING PLANT.

The State printing plant turns out annually work to the amount of \$600,000. Paper stock and material purchased annually amounts to \$200,000. The pay roll is approximately \$360,000 per annum, there being about 200 employees receiving an annual average salary of \$1800. It is safe to say that no other printing plant on the Pacific Coast can compete with the State printing plant in quantity and quality of work and in time and cost of production.

Recently two geographies were printed in the State printing plant on which \$40,000 was saved in competitive bids with Eastern book concerns. In competition with the same book concerns, the State plant printed 210,000 atlases at a cost of 10½ cents per book, where the Eastern book concern bid 13 cents.

In the recent pre-election publication of the proposed constitutional amendments, the State printing plant was able to print them at a cost of \$22 per thousand as compared with the next lowest bid of \$26 per thousand.

During the two years from July 1, 1920, to July 1, 1922, the State printing plant printed for the State Board of Education 2,286,711 copies of school books at the cost of \$540,922, or an average of 23.65 cents per copy.

The Legislature will find the printing plant in excellent condition from a mechanical and personnel standpoint, ready and willing to perform every service required, in a most expeditious manner. In fact, I believe the printing plant is prepared to give the Legislature a service unequalled in the history of the State Legislature. At the same time, owing to the limited capacity of the present plant, and the unsafe condition of the present building, it will be a matter of great satisfaction and relief to all concerned when the plant can be transferred to its new location.

NATIONAL GUARD.

When the National Guard of California was called into federal service in March and August, 1917, this State furnished to that service a total of 11,562 officers and men.

In 1918 six companies of the National Guard were organized with a total strength of 300 men. The present strength of the Guard is 4450 officers and men. In addition to this there are five units that have not yet been extended federal recognition. The California National Guard received all of its equipment from the federal government. For every dollar that we spend, the federal government spends three dollars. The National Guard costs the state about \$125 per year for each soldier. The California Guard now possesses about \$2,100,000 federal equipment.

While the Guard has not been called out for State service since 1913, it is a source of strength in the face of possible riots and is at all times the first line of defense.

CIVIL SERVICE.

Civil service has been in operation in this State for ten years, and has demonstrated its value in increasing efficiency and in stabilizing the work of State departments. The Legislature of 1921, under my approval, reorganized the Civil Service Commission, placing the responsibility in the hands of a commission of three members, one of whom is designated as president and executive member, and two associate members. Approval and consent of a majority of the three commissioners is necessary in the case of (1) the adoption of rules; (2) exemptions; (3) changes in classification; and (4) conduct of trials. The report of the commission for the past biennium shows a total of 7197 state employees under civil service jurisdiction, an increase during the biennium of 1036, the largest increases having been made in the Department of Public Works, the Department of Institutions, and the Department of Agriculture.

The average salary paid by the State, including officers and employees, is less than \$140 per month, showing that in this respect the State is operated more economically than any other large business within the State. In fact, it is becoming more and more difficult to retain efficient and well-trained employees in many of the departments beyond the experimental stage, owing to the remunerative attraction of employment elsewhere. Of the 5000 employees in State service in 1913 when civil

service was inaugurated, over 4200 have left the service. The present turnover of State employment is approximately 100 per cent per annum.

The importance not only of selecting competent employees to enter the service, but of encouraging them to stay in the service when once trained to do effective work, can not be over-estimated. The Civil Service Commission is devoting its thought and attention to this end.

REPORTS OF SPECIAL COMMISSIONS.

I hand you herewith reports of the following special commissions, committees, and representatives appointed by me under authority of the Legislature of 1921, namely: (1) the report of the State Engineer submitting the proposed Colorado River Compact, agreed to by the members of the Joint Commission, representing the states of California, Arizona, Colorado, Nevada, New Mexico, Utah and Wyoming; (2) the report of the commission appointed to investigate the entire problem of agricultural instruction and investigation; (3) the board appointed to investigate available sites in southern California for the location of an agricultural school or college; (4) the report of a committee to investigate and report a plan for the proper treatment and care of narcotic drug addicts, with their recommendation as to hospital requirements; (5) the report of Mount Diablo Park Commission.

I also hand you herewith the report of the Department of Labor and Industrial Relations, embodying a plan of reorganization and departmentalization of the activities therein, in accordance with the provision of Statutes 1921, chapter 604, section 364d.

CONCLUSION.

Finally, permit me to again remind you that this is a progressive State, committed by the enlightenment and conviction of its people to forward-looking, constructive and humane policies, and I confidently look for the maintenance and development of those principles in your deliberations and legislation. California, one of the richest states in the Union, with rapidly developing resources and growing population, is destined to become one of the great commonwealths of the world, and it is your enviable duty to continue the building of a structure worthy of the foundations that have been laid.

In conclusion, I desire to express my appreciation of the unfailing courtesy and the untiring cooperation which I have, on all occasions, received from both houses of the Legislature. At the same time I desire to thank all of the officers and employees of the various departments and institutions of the State, who not only have loyally supported me in my administration, but who have patriotically, unselfishly and effectively given their best thought and labor to the State.

WM. D. STEPHENS, Governor.

Dated, January 4, 1923.

APPENDIX.

PARDONS GRANTED BY GOVERNOR WM. D. STEPHENS (1921-1922).

JOSEPH WILSON was pardoned November 8, 1921. He was convicted in the county of San Luis Obispo on May 18, 1907, to serve a term of nine years in San Quentin for manslaughter. Recommended for pardon by Louis F. Sinsheimer, Mayor of San Luis Obispo, who was well acquainted with the case; M. R. Van Wormer, District Attorney of the county of San Luis Obispo; Albert Nelson, the attorney who prosecuted Wilson, the Advisory Pardon Board.

DAN CIUFFO was pardoned November 8, 1921. He was convicted in Madera County of robbery July 10, 1904, and was sentenced to a term of fourteen years in San Quentin. Was recommended for pardon by Hon. W. M. Conley, former presiding judge of the Superior Court of Madera County, who sentenced Ciuffo; R. R. Fowler, District Attorney of Madera County, who prosecuted Ciuffo; J. F. Flynn, present superintendent and D. W. Wallace, past superintendent of the Miller and Lux ranches in Merced County, also Mr. Edward Bickmore, secretary and attorney of the Silver Blossom Mine's Company of Reno, Nevada.

ALBERT HARRIS was pardoned December 5, 1921. He was convicted in San Francisco County of burglary, second degree, May 19, 1915, and was sentenced to a term of five years in San Quentin. Was recommended for pardon by Rev. Martin A. Meyer, prison visitor for the Jewish societies of San Francisco. Presiding Justice Frank M. Angellotti, of the Supreme Court, and Associate Justices Curtis D. Wilbur, W. A. Sloane, Charles A. Shurtleff, Thomas J. Lennon and Wm. P. Lawler. Harris was released from prison on December 20, 1918, when his sentence expired by reason of credits earned through good behavior. Good prison record.

IRA V. PLUMP, American Negro, pardoned December 22, 1921. Was convicted in the county of Alameda of murder in the second degree September 25, 1907, and was sentenced to thirty years at San Quentin. Was paroled February 5, 1915. Parole and prison record good. Was recommended for pardon by Hon. Henry A. Melvin, who sentenced Plump; Ezra W. Decoto, District Attorney who prosecuted Plump; Sheriff Frank Barnett, of Alameda County; State Federation of Colored Women's Clubs, Alameda County; Colored American Civic Center and many individuals, also the Advisory Pardon Board.

ROSINA SALVINO was pardoned May 12, 1922. She was convicted in San Joaquin County of murder in the second degree on October 30, 1920, and was sentenced to a

term of imprisonment in San Quentin of from ten years to life. Many citizens, including all members of the jury that convicted her, Rev. J. M. Nead, prison investigator of the Church of the Nazarene, the attorneys who defended her, the brother and wife of the slain man, and a nephew of the victim, the principal witness against her, joined an appeal that she be pardoned. Many citizens of Stockton, San Francisco, and other cities joined in petitions for her pardon.

ALVIN M. MCCOY, pardoned November 15, 1922. McCoy was convicted in Stanislaus County on October 27, 1921, of rape, and was sentenced to San Quentin under the Indeterminate Sentence law. Shortly after his conviction McCoy married the prosecuting witness, who subscribed to a further affidavit denying circumstantially each and every one of her accusations at the aforesaid trial of McCoy. Pardon was recommended by Hon. J. C. Needham, the judge who presided at the trial of McCoy, Hon. Wm. J. Brown, District Attorney of Stanislaus County, who conducted the prosecution of McCoy; and Wirt M. West. Others recommending pardon were: Hon. Herbert W. Slater, member of the California Senate, Santa Rosa; Hon. Clarence F. Lea, member of the House of Representatives of the United States; Dr. G. W. Mallory, and Mr. W. H. Hatton, attorney of Modesto.

RICHARD R. RILEY, pardoned November 27, 1922. Riley was convicted in Los Angeles County of robbery on four counts, and was sentenced in August, 1918, to serve a term of six years in San Quentin. Was paroled on September 19, 1919, and has lived an honorable and law-abiding life since that time. A pardon has been recommended by Roy E. Langworthy, Deputy State Parole Officer; Hon. Asa Keyes, Chief Deputy District Attorney; Hon. Frank R. Willis, who sentenced Riley, Mr. Charles R. Burger, president of the Los Angeles County Civil Service Commission, who has kept in close touch with Riley while on parole; Mrs. Nellie D. Gleason, and many other reputable citizens of Los Angeles.

C. G. SHINN, pardoned November 27, 1922. Shinn was convicted in Sacramento County of forgery and was sentenced to a term in San Quentin under the Indeterminate Sentence Law. This sentence being illegal he was returned to court and was sentenced to serve two and one-half years. He was recommended for pardon by Hon. Hugh B. Bradford, District Attorney, who prosecuted Shinn; Hon. A. W. Anderson, sentencing judge; Hon. E. C. Hart, Judge of the Appellate Court of the Third District, Sacramento, who was acquainted with the conduct of Shinn both prior to and subsequent to his conviction; Mr. Fred M. Miller, engineer of the California State Corporation Department; Mr. R. L. Shinn, City Attorney of Sacramento, uncle of the applicant; Mr. Clyde Seavey, City Manager of Sacramento; Mr. A. J. Poser, consulting mining engineer of San Francisco; Mr. B. V. Sargeant, attorney at law, San Francisco, and Mr. Daniel D. Sullivan, City Councilman of Sacramento.

W. W. SWAN, pardoned November 27, 1922, was convicted in Los Angeles County of extortion, January 14, 1921, and was sentenced to a term not to exceed five years in San Quentin. Judge Frank R. Willis, who sentenced Swan, has recommended executive clemency, and many other prominent citizens have written in Swan's behalf, and their willingness to provide him with employment.

E. N. SANDERS, pardoned November 27, 1922. Sanders was convicted in Los Angeles County of extortion, and was sentenced to a term not to exceed five years in the state prison. Hon. Frank R. Willis, the trial judge, recommended executive clemency. Others recommending pardon were the seventeen members of the grand jury that indicted Sanders; all the members of the trial jury that convicted Sanders; Louis D. Oaks, Chief Los Angeles Police Department, and many other prominent officials and citizens of Los Angeles.

JAMES A. RUMMEL, pardoned November 28, 1922. Rummel was convicted in San Joaquin County of burglary in the first degree and was sentenced April 3, 1920, to a term of four years in San Quentin. Pardon was recommended by Hon. Edward Van Vranken, District Attorney who prosecuted Rummel; Hon. J. A. Plummer, Judge of the Superior Court of San Joaquin County; Mr. J. A. Norwood, Chief Probation Officer for the county of San Joaquin; D. P. Eicke, Mayor of Stockton; Albert C. Parker, Justice of the Peace; William H. Riecks, Sheriff, San Joaquin County; A. H. Gazin, master mechanic of the Central California Traction Company, and many others.

GEORGE W. HARRINGTON, pardoned November 28, 1922. Harrington was convicted in San Diego County on March 11, 1912, of murder. Record in prison and on parole was good. Board of Prison Directors voted him meritorious recognition for distinguished service at furniture factory fire. Hon. W. A. Sloane, who sentenced Harrington, recommended pardon. Hon. H. S. Utley, late District Attorney of San Diego County, who prosecuted the prisoner also has recommended that he be pardoned, and many other prominent citizens.

GEORGE M. ZENTGRAF, pardoned November 28, 1922. Zentgraf was convicted in El Dorado County of burglary, and was sentenced to state prison, under Indeterminate Sentence Law, November 24, 1920. Pardon has been recommended by Hon. George H. Thompson, Judge of the Superior Court of El Dorado County, who sentenced the prisoner; Hon. Abe Darlington, District Attorney of El Dorado County, and a large number of citizens and officials of Sacramento and El Dorado counties petitioned me to extend executive clemency to Zentgraf, asserting their belief that he was mentally incompetent at the time of committing the offense.

ROBERT R. BELL, pardoned December 20, 1922. Bell was convicted on December 17, 1920, in Tulare County of the crime of issuing a bank check without funds to meet the same, and was sentenced under the Indeterminate Sentence Law. Definite sentence was fixed at three years. Pardon has been recommended by Hon. W. H. Wallace, sentencing judge; Hon. Fred C. Scott, District Attorney; Court Smith, Sheriff of Tulare County; M. W. Collins, Probation Officer of Tulare County, under whose supervision Bell has been paroled; J. K. Macomber, Supervisor Fifth District, Tulare County; Ross Graham, Constable of Tipton township, and many others.

J. M. FLOWERS, pardoned December 20, 1922. Flowers was convicted on January 31, 1921, in Los Angeles County, of the crime of obtaining money under false pretenses. Definite sentence was fixed at two years. On account of previous conviction in the State of Kansas he was sent to Folsom as a recidivist. Was discharged from prison October 30, 1922, with all credits earned. Entire term of his imprisonment was spent in hospital ward. Owing to the advanced age of the prisoner and his poor physical condition, William F. Lusk, Probation Officer of Los Angeles County, recommended probation at time of his conviction. Recommendation for pardon has been made to me by Chief Justice Lucien Shaw, and the following Supreme Court Justices: Curtis D. Wilbur, W. A. Sloane, Charles A. Shurtleff, Wm. H. Waste, and Wm. P. Lawler. Many citizens of Los Angeles have joined in recommending executive clemency.

EMIL SPITZER, pardoned December 20, 1922. Spitzer was convicted in Los Angeles County, October 10, 1921, of the crime of bigamy. Spitzer, a native of Austria, was ignorant of the marriage laws of this country. It has been recommended to me that Spitzer was ill advised in his defense. During eighteen months Spitzer was confined in the county jail in Los Angeles and during that time was of immense service to the jail authorities in frustrating an attempted wholesale jail delivery, and in other ways. Hon. Sidney N. Reeve, sentencing judge, after careful investigation has recommended executive clemency. Others joining in recommending a pardon for Spitzer were: Chief Deputy District Attorney Asa Keyes; W. J. Clark, Deputy District Attorney, who conducted the prosecution of Spitzer; Carl L. May, Chief Probation Officer, and many citizens of Los Angeles.

CHARLES LAWRENCE STOKES, pardoned December 20, 1922. Stokes pleaded guilty in the Superior Court of the county of Los Angeles, June 24, 1920, to a charge of manslaughter, and was placed on probation for ten years by Judge Gavin W. Craig. Many reputable citizens of Los Angeles County recommended Stokes for executive clemency, in order that he may be relieved of the burdens of the terms of his probation.

C. VINCENT RICCARDI, pardoned December 24, 1922, was convicted in the Superior Court in the City and County of Los Angeles, of embezzlement, and was sentenced to serve a term of from one to five years in San Quentin Prison. Owing to certain activities which he was able to undertake in correcting corrupt conditions then existing in the City and County of San Francisco, and for other reasons he was strongly recommended for Commutation of Sentence, which was granted May 13, 1921. Owing to his good conduct since then and the fact that he is debarred from the practice of law by the courts, he was recommended for a Pardon, to restore his civil rights.

ARTHUR ELLENBURG, pardoned December 23, 1922, was convicted in the Superior Court of the county of Fresno of the crime of embezzlement, January 26, 1918, and sentence fixed by the Board of Prison Directors at three years. He was recommended for pardon by Judge M. F. McCormick, Chester H. Rowell, Hon. H. Z. Austin, and a large number of reputable citizens.

THOMAS ENRIGHT, pardoned December 23, 1922, was convicted of the crime of robbery and prior conviction for the same offense, in the Superior Court of the city and county of San Francisco, April 1, 1908. He was recommended for pardon by Thomas F. Boyle, Percy V. Long, former city attorney of San Francisco, Joseph F. Lahaney, supervisor of the city and county of San Francisco, R. A. Crothers, editor and proprietor of the San Francisco Bulletin, Matthew Brady, district attorney, James M. Hanley, and many others.

STANLEY CRANE, pardoned December 23, 1922, was convicted of the crime of embezzlement in the Superior Court of San Joaquin County, and was sentenced to a term of ten years in San Quentin. He was paroled April, 1921, and his conduct on parole has been excellent. Among those urging executive clemency for Crane were Mrs. Florence Collins Porter, Mrs. E. M. Potts, Jesse L. Greenbaum, Dr. Herbert E. Long, George E. Covell, H. I. James, Dr. John E. Paulson, Rev. A. C. Shepherd, L. B. Levy, Parke Vawter, William E. Billings, Oliver H. Reena, J. E. Manning, Chas. W. Alexander, J. F. Wright, H. H. Somers, Ben Berry, and many others.

JOHN SMITH, was pardoned January, 1923. He was convicted in the county of Trinity on December 17, 1917, of the crime of burglary in the second degree, and was sentenced to serve one year in San Quentin. Recommended for pardon by Hon. James W. Bartlett, judge of the Superior Court of Trinity County who sentenced him; all members of the jury that convicted him; Hon. L. J. Flaherty, United States Surveyor of Customs, San Francisco, and others.

C. M. STITT, pardoned January, 1923. He was convicted in the Superior Court of Los Angeles County on February 20, 1919, of violating section 28 of the Motor Vehicle Act, for driving away an automobile without the consent of owner, and was sentenced under the indeterminate sentence at law to serve two years in San

Quentin. He was paroled March 2, 1920, and was discharged from custody October 20, 1920, after having served his full term of two years, with credits. He was recommended for a pardon by Hon. Chas. L. Neumiller, president of the State Board of Prison Directors, and others, because of his excellent record in prison and on parole.

DR. WM. S. CARD, pardoned on condition that he leave the State of California and never return, January, 1923. He was convicted in the Superior Court of the city and county of San Francisco, July 7, 1918, of the crime of murder in the second degree, and was sentenced to serve a term of from ten years to life imprisonment in San Quentin. Was recommended for a pardon by Hon. George H. Cabaniss, who sentenced him; Hon. Frank H. Kerrigan, Associate Justice of the First District Court of Appeal, who reviewed the case on appeal; Hon. Chas. M. Fickert, former district attorney of San Francisco, who conducted the prosecution of Card; Hon. Matthew Brady, present district attorney of San Francisco; all surviving members of the jury that convicted Card; Hon. Samuel M. Shortridge, United States Senator from California; Hon. J. M. Inman, State Senator, of Sacramento; Hon. John H. Riordan, Deputy Attorney General of California, who was prosecuting deputy for the district attorney's office at the trial of Card, and many others.

PHILLIP C. BEUTTER was pardoned January, 1923. He was convicted in the Superior Court of the county of Los Angeles of the crime of burglary and was sentenced under the Indeterminate Sentence Law to serve a term of five years in San Quentin, being received at that prison April 5, 1909. He was paroled November 17, 1911. Pardon was recommended by Dr. John R. Haynes, member of the State Board of Charities and Corrections; Frank M. Bagley, Manager California District Messenger Co., Los Angeles; Miss Faith Chevallier, and many others.

JAMES WILTON CROWHURST, pardoned January 8, 1923. He was convicted of the crime of robbery in the Superior Court of Alameda County August 18, 1905, and was sentenced to serve a term of seven years in Folsom Prison. He was paroled and served his entire term with all credits earned. Pardon recommended by Honorable John J. Allen, District Attorney of Alameda County, who prosecuted Crowhurst; and August Vollmer, Chief of Police of Oakland; Superior Judge William C. Doran of Los Angeles County; Raymond I. Turney, former Deputy District Attorney of Los Angeles, to whom Crowhurst was of great assistance in the successful prosecution of a murder case in Los Angeles County.

HUGH McCANN, pardoned January 8, 1923. He was convicted of the crime of driving away an automobile without the owner's consent, in the Superior Court of San Diego County, September 18, 1922, and was sentenced to serve a term of from one to five years in San Quentin Prison. McCann was a sailor in the United States Navy and but nineteen years of age. Recommended for pardon by Honorable Lewis F. Byington, United States Receiver for Oil Properties in San Francisco, and former District Attorney for San Francisco County, Alexander B. McCabe and others.

COMMUTATIONS GRANTED BY GOVERNOR WM. D. STEPHENS (1921-1922).

C. VINCENT RICCARDI, commuted on May 13, 1921, to a term to end on that date. Riccardi had been convicted in San Francisco County of embezzlement and sentenced to serve a term of one to five years at San Quentin. The grand jury of which Mr. William H. Harrelson was the foreman, and which devoted almost a year to investigating corrupt conditions in a number of the courts in the city and county of San Francisco, the District Attorney, the San Francisco Bar Association and police officials of San Francisco, who assisted in the investigation of these conditions, in recognition of assistance rendered by Riccardi in exposing and correcting corrupt conditions in the courts of the city and county of San Francisco, joined in recommending commutation of sentence.

SIMON RUIZ, commuted on July 5, 1921, to life imprisonment. Ruiz had been convicted in San Bernardino County of murder in the first degree and sentenced to be executed at San Quentin, January 14, 1921. Commutation of sentence to be executed at San Quentin, January 14, 1921. Commutation of sentence was recommended by Hon. J. W. Curtis, Judge of the Superior Court who sentenced Ruiz; the foreman and members of the jury who convicted Ruiz, and by many citizens and civic organizations, because of his extreme youth. The legislature adopted Assembly Bill No. 1282, which became a law July 29, 1921, making it illegal to execute youths under the age of 18 years, convicted of murder in the first degree. This law might have had the effect of rendering the sentence in the case of Ruiz nonenforceable. The Advisory Pardon Board joined in the recommendation for commutation of sentence.

ARTHUR OWEN DAVIS, true name William Henry Norris, commuted on July 18, 1921, to life imprisonment. Davis had been convicted in Shasta County of murder in the first degree and sentenced to be hanged at San Quentin, March 25, 1921. The legislature adopted Assembly Bill No. 1282, which became a law July 29, 1921, making it illegal to execute youths under the age of 18 years, convicted of murder in the first degree. This law might have had the effect of rendering the sentence in the case of Davis nonenforceable.

WALTER LEE SMITH, true name Walter D. Smith, commuted on July 18, 1921, to life imprisonment. Smith had been convicted of murder in the first degree in Monterey County and was sentenced to be hanged at San Quentin on May 20, 1921.

The legislature adopted Assembly Bill No. 1282, which became a law July 29, 1921, making it illegal to execute youths under the age of 18 years, convicted of murder in the first degree. This law might have had the effect of rendering the sentence in the case of Smith nonenforceable.

MRS. MARY A. GREGSON, commuted on September 21, 1921, to a term to end on that date. Mrs. Gregson had been convicted of murder in the second degree, and was sentenced to serve a minimum sentence of ten years at San Quentin. Commutation of sentence was recommended on account of her age and very poor health; the judge who sentenced the prisoner and the District Attorney who prosecuted her did not object to such action on account of her condition.

AH DAN (a Chinese), commuted on November 8, 1921, to a term of twenty-five and one-half years. Ah Dan was convicted in the county of Butte of murder in the first degree, and was sentenced to life imprisonment at Folsom penitentiary on March 26, 1906. Commutation of sentence was recommended by R. W. Durham, employer of the prisoner, who was familiar with the circumstances of the crime; W. E. Gerber of the California National Bank, Sacramento, to whom Ah Dan was paroled; the Advisory Pardon Board; Judge H. D. Gregory, who sentenced the prisoner, and State Parole Officer Ed H. Whyte.

J. R. HOPKINS, commuted on December 30, 1921, to a term to end on that date. Hopkins was convicted of the crime of burglary in Stanislaus County on November 4, 1920, and was sentenced to serve a term of from one to fifteen years in San Quentin. Commutation of sentence was recommended by T. B. Michael, the prosecuting witness, and all members of the jury that convicted the prisoner; Judge J. C. Needham, who sentenced Hopkins; District Attorney W. J. Brown, who prosecuted him; Sheriff R. L. Dallas, who gathered the evidence against the prisoner, and several hundred citizens of Stanislaus County.

JOHN COFFEE, commuted on December 30, 1921, to a term to end on that date. Coffee was convicted of the crime of burglary in Stanislaus County on November 4, 1920, and was sentenced to serve a term of from one to fifteen years in San Quentin. Commutation of sentence recommended by T. B. Michael, the prosecuting witness; all the members of the jury that convicted Coffee; Judge J. C. Needham, who sentenced Coffee; District Attorney W. J. Brown, who prosecuted him, and Sheriff R. L. Dallas, who gathered the evidence against the prisoner.

STEPHEN DUNCAN, commuted December 22, 1921, to a term to end on that date. Duncan was convicted in Trinity County of the crime of murder in the first degree, on April 12, 1912, and was sentenced to life imprisonment in San Quentin. Commutation of sentence was recommended by Judge James W. Bartlett, who sentenced Duncan; by District Attorney H. R. Given, who prosecuted Duncan; and a number of citizens of Trinity County, in view of the extreme youth of the prisoner.

LEUNG OCK (a Chinese), commuted December 16, 1921, to a term to end on that date. Ock was convicted in Siskiyou County of murder in the first degree, and was sentenced to be executed at San Quentin November 8, 1902. Commutation of sentence was recommended by Dr. F. W. Hatch, at that time General Superintendent of State Hospitals, and Dr. Robert L. Richards, Medical Superintendent of the Mendocino State Hospital, in order that he might be deported to China as incurably insane.

SING TIE, true name Chang Sing Tie (a Chinese), commuted December 16, 1921, to a term to end on that date. Tie was convicted in Santa Clara County of arson in the first degree and was sentenced to serve from two years to life imprisonment in the state prison. Commutation of sentence was recommended by Ralph T. Fisher, Director of Institutions, in order that he might be deported to China as incurably insane.

CHRISTOS PARASKEVOPOULIS, commuted May 3, 1922, to time served, upon condition that he be surrendered to the United States Immigration authorities for deportation to Greece, and to remain in force and effect only while and during the time the said Christos Paraskevopolis remain absent from and without the United States. Paraskevopolis was convicted of murder in the first degree in the county of Napa, and was sentenced to life imprisonment in San Quentin on October 31, 1917. Commutation of sentence was recommended by Judge Henry C. Gesford, who sentenced Paraskevopolis; Nathan F. Coombs, District Attorney who prosecuted the prisoner; E. A. Kelton, Sheriff of Napa County; Thomas F. Finn, Sheriff of San Francisco County, and the Advisory Pardon Board.

THOMAS STEPHENS, commuted June 15, 1922, to a term to end on that date. Stephens was convicted of burglary, first degree, in San Francisco County, and was sentenced on March 20, 1920, to ten years in San Quentin. Commutation of sentence recommended by Dr. L. L. Stanley, hospital physician, and a number of others, in order that he might die outside of prison walls.

ALFRED ELLIS, commuted September 8, 1922, to life imprisonment. Ellis was convicted in Ventura County of murder in the first degree, and was sentenced to be hanged September 22, 1922. Commutation of sentence was recommended by Judge Merle J. Rogers, the sentencing judge; Mrs. Mable Dorn-Hirst, of San Francisco; Rev. G. C. Coleman, D.D., pastor of the North Oakland Baptist Church; J. D. Drake, president National Association for the Advancement of Colored People; Rev. James B. Holmes of Oakland; Rev. J. W. Brown, pastor First A. M. E. Church, Oakland; Rev. Louis G. Robinson, Los Angeles; Rev. J. C. Anderson, Los

Angeles; Rev. A. P. Shaw, West M. E. Church; Rev. A. M. Ward, First A. M. E. Church, Los Angeles; Chas. F. Blackstock, attorney, Oxnard; Rev. J. R. Skinner, Los Angeles; Rev. W. M. Shipley, Los Angeles; Rev. L. B. Brown, Los Angeles; Rev. James A. Warren, Los Angeles, and many others.

ARNOLD V. THOMPSON, commuted November 28, 1922, to a term to expire on that date. Thompson was convicted of burglary, second degree, in San Mateo County, May 15, 1922, and was sentenced to an indeterminate sentence of from one to five years in San Quentin. Commutation of sentence was recommended by Judge George H. Buck, who presided at the trial of Thompson; Mr. Julian Hart, whose residence was entered by Thompson; Miss Mary J. Conway, a member of the Hart household. Disabled American Veterans of the World War agreed to rehabilitate Thompson when released from prison—he being a veteran of the World War.

BERNARD LEVINE, commuted November 28, 1922, to a total of twenty years imprisonment, to include time already served. Levine was convicted of robbery in San Francisco County, August 4, 1911, and prior conviction for assault with intent to commit murder, and was committed to the state prison at Folsom on two commitments, one for life imprisonment and the other for fourteen years imprisonment, not to run concurrently. Commutation of sentence was recommended by Hon. William P. Lawlor, the trial judge; the Supreme Court of California; Rev. Martin A. Meyer, of San Francisco; Herman Davis, of Sacramento; William A. Stryker, Prosecuting Attorney of Warren County, New Jersey; Harry K. Wolff of San Francisco, and many other reputable citizens.

AMMON O. FOWLER, commuted on December 20, 1922, to twenty-five years. Fowler was convicted of the crime of murder in the first degree in the county of San Joaquin, November 30, 1916, sentenced to life imprisonment in Folsom prison. Fowler's conduct during the entire period of his incarceration in Folsom prison was exemplary. Warden Smith recommended that Fowler be rewarded for fine services rendered the prison while in charge of the power plant, and in other ways, by commutation of sentence. Hon. D. P. Eicke, Mayor of Stockton; William H. Riecks, Sheriff of San Joaquin County, and the Advisory Pardon Board recommended commutation of sentence.

PAUL CASE, commuted on December 20, 1922, to twenty years. Case was convicted of the crime of murder in the first degree in Riverside County, January 14, 1914, and sentenced to life imprisonment. Among those who recommended executive clemency for him are: Charles R. Burger, president Los Angeles County Civil Service Commission; Edward F. Fitzpatrick, attorney of Redwood City; Miss Eleanor Herbert of New York; Mr. and Mrs. Chester Kreiss of Redwood City; F. W. Brown of San Francisco; C. O. Tabor of San Francisco; Hon. Lyman Evans of Riverside; J. R. Gabbert of Riverside; Raymond G. Thompson, attorney of Pasadena, and more than one hundred others.

SAMUEL J. LEWIS, (nationality American Negro), commuted on December 20, 1922, to twenty years, was convicted of the crime of murder in the first degree in Los Angeles County and was sentenced August 1, 1916, to life imprisonment in San Quentin prison. Hon. Frank R. Willis, Presiding Judge of the Superior Court of Los Angeles; Hon. Wheaton A. Gray, former judge of the Superior Court of California; J. R. Coats, and Sons of Visalia; W. W. Glenn, Sergeant of Police; Mrs. Mabel Dorn-Hirst of San Francisco; L. McDuff, Sergeant of Police, Los Angeles; Frank Dominguez, and others recommended executive clemency.

EMERSON B. HARTMAN, commuted December 20, 1922, to fifteen years. Hartman was convicted of the crime of murder in the first degree in San Joaquin County, November 3, 1916, and was sentenced to life imprisonment in San Quentin prison. Among those recommending executive clemency are: Wm. H. Riecks, sheriff of San Joaquin County; Hon. D. P. Eicke, mayor of Stockton; State Senator Frank S. Boggs, who was a member of the jury that convicted Hartman, and many other prominent citizens.

JOHN CHIMES, commuted December 20, 1922, to a term ending on that date, was convicted in Los Angeles County of the crime of assault with a deadly weapon, and was sentenced under the Indeterminate Sentence Law, August 21, 1921. Definite sentence was fixed at two years. Many letters and petitions were filed in support of this application for executive clemency, among them one from Hon. Sidney N. Reeve, Hon. Gavin W. Craig, and many other prominent citizens of Los Angeles.

JOHN BOGDEN, commuted December 20, 1922, to a single term of ten years, was convicted in Yolo County, on a charge of burglary, and was sentenced to serve a term of fourteen years in San Quentin prison July 6, 1914, and was sentenced in the Superior Court of Marin County to a term of four years on a charge of escaping from State's prison May 26, 1915. The Supreme Court after careful review of the record, and upon recommendations by Superior Judge N. A. Hawkins, who sentenced Bogden; District Attorney A. J. Bailey, who prosecuted him, and with the approval of J. W. Monroe, sheriff of Yolo County, recommended commutation of sentence to five years. Edward I. Butler, district attorney of Yolo County; Judge Edgar T. Zook of the Superior Court of Marin County; Senator Inman, and other citizens and officials joined in this recommendation for executive clemency.

GEE NING, commuted December 20, 1922, to a term to end on that date, was convicted of the crime of murder in the second degree in the city and county of San Francisco, January 29, 1919, and was sentenced to serve a term of ten years to life in San Quentin prison. A number of citizens have interested themselves in

this case and urged executive clemency, among them being Joseph Brachman, who was personally acquainted with Gee Ning for a number of years and had employed him in his own business; Hon. Charles M. Fickert, who was district attorney of San Francisco and had charge of the prosecution of Gee Ning, Hon. Mathew Brady, district attorney of San Francisco, and a number of reputable Chinese.

LEE YICK, commuted to life imprisonment December 20, 1922. He was convicted in Fresno County of the crime of murder in the first degree, and on November 20, 1922, was sentenced by Hon. S. L. Strother, Judge of the Superior Court of Fresno County, to be executed at San Quentin, February 16, 1923. Justice Curtis D. Wilbur of the Supreme Court recommended commutation of sentence. Hon. S. L. Strother, sentencing judge; Hon. B. W. Gearhardt, district attorney; W. F. Jones, sheriff of Fresno County; T. F. Coyle, jailor under Sheriff Jones, and many other prominent officials and citizens joined in recommending executive clemency.

WONG TOY, commuted December 20, 1922, was convicted in the Superior Court of Fresno County of the crime of murder in the first degree, and on November 20, 1922, was sentenced by Hon. S. L. Strother, judge of the Superior Court of Fresno County, to be executed at San Quentin prison on February 16, 1923. Hon. B. W. Gearhardt, who prosecuted Wong Toy recommended commutation of sentence; also Frank Truax, Chief of Police of Fresno; Guy Shawn, Lieutenant of Police, and Sidney J. Shannon, Deputy U. S. Marshal of Fresno; Assemblyman Herbert W. McDowell, Samuel A. Mortland and many others.

THOMAS MASTON, commuted on December 23, 1922, to a term of twenty years. Maston, an American Negro, pleaded guilty to the crime of murder in the first degree in the Superior Court of Los Angeles County, on April 24, 1909, and was sentenced to life imprisonment in San Quentin prison. After serving eight years, eight months and 22 days in prison Maston was released on parole December 22, 1917. His employers have vouched for his good conduct while on parole. Judge Frank R. Willis, sentencing judge, also the Advisory Pardon Board have recommended commutation of sentence, in which they have been joined by many others.

CHARLES H. HADLEY was commuted to a term of twenty years January, 1923. He pleaded guilty in the Superior Court of the County of Los Angeles, January 7, 1918, for crimes of robbery and murder and was sentenced to life imprisonment on the charge of murder and fourteen years apiece on six counts of robbery, to run concurrently. Commutation of sentence to permit the parole of Hadley was recommended by the Supreme Court of California, Hon. Frank L. Willis the sentencing judge; John C. Cline, former Sheriff of Los Angeles County and Capt. Geo. J. Home, former Chief of Police of Los Angeles who were instrumental in the prosecution of Hadley; Hon. Irving Martin, member of the State Railroad Commission of California; State Senator Chas. W. Lyon of Los Angeles; Edward D. Zehner, former Under-Sheriff of Los Angeles; Hon. W. R. Williams, Examiner State Railroad Commission and many others, on account of the extreme youth of Hadley who was but eighteen years old at the time of his conviction.

STEVE (STILANOS) KOURIS was commuted to time served on condition that he be deported to Greece and never return to the United States, January, 1923. He was convicted in the Superior Court of the County of Sacramento of the crime of murder in the first degree, on a plea of guilty, and was sentenced to serve a term of life imprisonment in San Quentin by Hon. Malcolm C. Glenn. Strong representations were made that Kouris would never have been convicted had he not pleaded guilty, the sentencing judge advising me that there was some doubt on that score owing to the unwillingness of the witnesses who were all foreigners to give a clear account of the homicide. A strong showing was also made that the deceased threatened Kouris who had been a benefactor to the deceased in many ways, and that the crime was committed in self-defense. More than one hundred leading citizens of Sacramento County joined in recommending that Kouris be commuted on condition that he be deported to Greece.

TONY FRANKINO was commuted to a term of ten years, January 8, 1923. He was convicted of the crime of burglary with explosives in the Superior Court of Lake County, September 21, 1918, and was sentenced to serve a term of from twenty-five to forty years in San Quentin prison, under the provisions of section 464 of the Penal Code of California which provides a minimum sentence of twenty-five years. Commutation of sentence was recommended by Honorable Frank H. Benson, former State Senator of San Jose, Honorable M. S. Sayre, Judge of the Superior Court of Lake County, who sentenced Frankino, Honorable H. B. Churchill, District Attorney of Lake County, who prosecuted him, and others.

SPEROS KASCLAS, commuted to a term of fifteen years, January 8, 1923, was convicted in the Superior Court of Solano County, April 20, 1918, and was sentenced to life imprisonment for the crime of murder. Commutation recommended by Advisory Pardon Board, Arthur Lindauer, who prosecuted Kasclas, the members of the jury that convicted him, State Senator J. M. Inman, and State Senator Frank M. Carr and others.

REPRIEVES GRANTED BY GOVERNOR WM. D. STEPHENS (1921-1922.)

SIMON RUIZ, convicted of murder in the first degree in San Bernardino County and sentenced to be hanged January 14, 1921, was reprieved to and until Friday, January 28. He was again reprieved on January 25 to Friday, March 11. Reprieved again on March 9, to Friday, June 10. Reprieved on June 9 to Friday,

August 26, in order that further investigations could be made into his application for executive clemency.

JAMES C. CLARK, convicted of murder in the first degree, in Yolo County, and sentenced to be hanged Wednesday, January 26, 1921. Reprieved on January 19 to Friday, February 4, 1921, at the request of Warden J. A. Johnston.

WALTER LEE SMITH, convicted of murder in the first degree in Monterey County, and sentenced to be hanged Friday, May 20, 1921, was reprieved on May 13 to Friday, August 19, 1921, in order that further investigations could be made into his plea for executive clemency.

GAUDET SINGH, convicted of murder in the first degree, in Imperial County, and sentenced to be hanged September 2, 1921, was reprieved August 25 to October 7, 1921. Reprieved again on October 5 to Friday, November 4; reprieved again October 31 to Friday, January 13, 1922, in order that further investigations might be made into his mental condition.

DAVID CLIFTON, convicted of murder in the first degree, in Sacramento County, and sentenced to be hanged September 2, 1921, reprieved August 30 to October 7, 1921; reprieved again October 6 to Friday, October 21, 1921, in order that further investigations might be made of representations made in his behalf.

MIGUEL MANRIQUEZ, convicted of murder in the first degree, in Imperial County, sentenced to be executed Friday, September 30, 1922; reprieved September 26 to Friday, November 18, 1922, upon recommendation of Warden J. A. Johnston.

ULLAH MOHAMMED, convicted of murder in the first degree, in Sonoma County, sentenced to be executed November 24, 1922, reprieved November 17 to Friday, January 26, 1923, to permit further investigation.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California:

I transmit herewith the report of the Board to investigate sites for the location of an agricultural school or college in southern California—signed by the entire Committee appointed pursuant to Assembly Bill 300, Chapter 672, page 1148, Statutes 1921.

Yours truly,

WM. D. STEPHENS.

Governor of the State of California.

SITE BOARD OF FIVE.

1028 Pacific Finance Building, Los Angeles, California.

*His Excellency, The Governor of California,
Sacramento, California.*

MY DEAR SIR: In accordance with an act of the Legislature of 1921 (chapter 672, approved June 3, 1921), the board appointed by you for the purpose of investigating sites for the location of the agricultural school or college in Southern California respectfully submits the following report of its activities and conclusions:

Complying with the terms of the above mentioned Act you appointed as members of the board a member of the College of Agriculture of the State of California, Thomas F. Hunt; the Director of Agriculture of the State of California, G. H. Hecke; and three agriculturists, H. A. Jastro, Bakersfield, S. C. Evans, Riverside, and Mark Grimes, Van Nuys.

The board met in Berkeley on December 14, 1921, and elected H. A. Jastro, Chairman. Later the Board appointed R. N. Wilson, Sacramento, Secretary, who consented to serve without pay. It was agreed that it would be desirable to meet with the Commission on Agricultural Education which had been appointed by you to study the entire problem of agricultural instruction and investigation for California. Such a joint session of the commission and this board was held in Riverside on March 9, 1922, at which time a free discussion of the general problem was held. It was agreed that the Board should delay active consideration of sites until the Commission on Agricultural Education had had an opportunity to study the whole problem of agricultural education for California, both by investigating conditions in California and by visiting Eastern institutions.

Another joint meeting of the commission and this board was held in Berkeley, October 20, 1922, all members of both committees being present with the exception of S. C. Evans, who failed to receive notice of the meeting. Through complete discussion the board obtained the views of the members of the commission as crystallized following an intensive study of the problem.

A public hearing was held by the board on the evening of October 26, 1922, at the Mission Inn, Riverside, at which about thirty-five persons were present. Their opinions concerning the adequacy of the site at Riverside and the desirability of retaining this site as a location for a school or college of agriculture were presented.

On the following morning, October 27th, the board held a hearing at the Los Angeles Chamber of Commerce with about twenty-five persons present. Four or five sites were tentatively mentioned to the board as possibly available under certain circumstances. During the afternoon the board examined two of the proposed sites, one at Burbank and one in the vicinity of Van Nuys.

Offers of sites were again considered at a meeting of the board held in Los Angeles on December 15 and 16, 1922, at which time the following sites were offered for consideration:

By W. H. Hay, eight hundred and thirty-six (836) acres, near Owensmouth, on the Ventura Boulevard, San Fernando Valley, nineteen and a half (19½) miles from the Southern Branch of the University of California, at \$650.00 per acre. The soil is black loam and irrigation water is supplied by the Los Angeles aqueduct.

By Charles A. Nash, six hundred (600) acres, four (4) miles east of Alhambra, in the San Gabriel Valley, eighteen (18) miles from Los Angeles, at \$1,400 per acre. The soil is sandy loam and irrigation water has been developed for three hundred acres.

By the Brant Estate, eight hundred and fifty-two (852) acres, near Owensmouth on the Ventura Boulevard at Calhuenza Avenue, San Fernando Valley, twenty-two (22) miles from Los Angeles at \$1,000 per acre. The soil is black loam and irrigation water is supplied by the Los Angeles aqueduct.

By Carnahan and Clark, one thousand (1000) acres near Burbank, sixteen (16) miles from Los Angeles. One hundred and fifty-five (155) acres of this amount would be donated and the remainder would be sold at the rate of more than \$1,000 per acre. The soil is a sandy loam and irrigation water is supplied by a pumping plant.

By Hugo Carlson, eight hundred and sixty-five (865) acres, near Owensmouth, on the Ventura Boulevard, at Fallbrook Avenue, San Fernando Valley, twenty-six (26) miles from Los Angeles, for \$650.00 per acre. The soil is black loam and irrigation water is supplied by the Los Angeles aqueduct.

By the Los Angeles Extension Company, one thousand (1000) acres, or a portion thereof, near Inglewood, eleven (11) miles from Los Angeles, at \$1,000 per acre. Irrigation water is developed for a portion of the property.

By the Ventura Chamber of Commerce, a site near Ventura, in Ventura County, sixty (60) miles from Los Angeles. No exact acreage or price was submitted.

By Volney H. Craig, near San Fernando. Acreage and price not submitted.

Another offer was submitted to the board in confidence, but did not meet with the requirements as interpreted by the board.

It was moved by Mr. Evans, seconded and unanimously carried that all offers be filed as matter of record, and that these be placed in the minutes, copies of which should be furnished to all members of the board.

Following a full consideration of the proposed sites it was moved by Mr. Evans, seconded by Mr. Grimes, and unanimously carried that we recommend to the Governor that the sum of forty thousand dollars (\$40,000) be appropriated for such summer session courses as shall be deemed practical, to be held during twelve weeks, at Riverside, for the next two years, using the existing facilities of the Citrus Experiment Station and the staff of the College of Agriculture as far as practical and as determined by the College of Agriculture.

Respectfully submitted,

H. A. JASTRO, Chairman.
G. H. HECKE,
MARK GRIMES,
S. C. EVANS,
THOMAS F. HUNT,
Members of Board.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California.

I transmit herewith a certified copy of the Colorado River Compact, signed November 24, 1922, by representatives of the states of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming, and approved by the Honorable Herbert Hoover, who represented the interests of the United States in the negotiations of the Compact. Mr. W. F. McClure, Chief of Division of Engineering, Department of Public Works, assisted by R. T. McKisick, Deputy Attorney General, acted at my request for the State of California. I recommend the approval of the compact at this session of the Legislature.

Yours truly,

WM. D. STEPHENS, Governor.

DIVISION OF ENGINEERING AND IRRIGATION.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS.

SACRAMENTO, Wednesday, December 13, 1922.

Honorable William D. Stephens,

Capitol Building, Sacramento, California.

Subject:

COLORADO RIVER.

DEAR GOVERNOR:

Agreeable to the provisions of chapter 88 of the Statutes of 1921, you appointed the writer of this note as a member of the Colorado River Commission.

The commission met and organized at Washington, D. C., in January of this year, and during the months of March and April hearings were held in all of the states represented, except New Mexico. Our final meeting convened at Bishops Lodge, four miles southeast of the city of Santa Fe, the capital of the State of New Mexico, on the ninth day of November, 1922, and on the twenty-fourth day of November, 1922, an agreement was reached and Compact signed, copy of which is herewith enclosed.

The result reached in the compact is one deemed fair to all of the states, and one which adequately protects existing rights and forms a clear working basis for the future.

The value of the work of the commission as expressed in the compact depends upon its ratification by the legislatures of all the states in the Colorado River Basin. I deem it important that early ratification shall be made by the State of California, and suggest that you use your good offices to that end.

Very truly yours,

W. F. McCLURE, State Engineer.

COLORADO RIVER COMPACT.

The states of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming having resolved to enter into a compact under the act of the Congress of the United States of America approved August 19, 1921 (42 Statutes at Large, page 171) and the acts of the legislatures of the said states, have through their governors appointed as their commissioners:

W. S. Norviel, for the State of Arizona;

W. F. McClure, for the State of California;

Delph E. Carpenter, for the State of Colorado;

J. G. Scrugham, for the State of Nevada;

Stephen B. Davis, Jr., for the State of New Mexico;

R. E. Caldwell, for the State of Utah;

Frank C. Emerson, for the State of Wyoming;

who, after negotiations participated in by Herbert Hoover, appointed by the President as the representative of the United States of America, have agreed upon the following articles:

Article I.

The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River System; to establish the relative importance of different beneficial uses of water; to promote interstate comity; to remove causes of present and future controversies; and to secure the expeditious agricultural and industrial development of the Colorado River Basin, the storage of its waters and the protection of life and property from floods. To these ends the Colorado River Basin is divided into two basins, and an apportionment of the use of part of the water of the Colorado River System is made to each of them with the provision that further equitable apportionments may be made.

Article II.

As used in this compact:

(a) The term "Colorado River System" means that portion of the Colorado River and its tributaries within the United States of America.

(b) The term "Colorado River Basin" means all of the drainage area of the Colorado River System and all other territory within the United States of America to which the waters of the Colorado River System shall be beneficially applied.

(c) The term "states of the Upper Division" means the states of Colorado, New Mexico, Utah and Wyoming.

(d) The term "states of the Lower Division" means the states of Arizona, California and Nevada.

(e) The term "Lee Ferry" means a point in the main stream of the Colorado River one mile below the mouth of the Paria River.

(f) The term "Upper Basin" means those parts of the States of Arizona, Colorado, New Mexico, Utah and Wyoming within and from which waters naturally drain into the Colorado River System above Lee Ferry, and also all parts of said States located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the System above Lee Ferry.

(g) The term "Lower Basin" means those parts of the States of Arizona, California, Nevada, New Mexico and Utah within and from which waters naturally drain into the Colorado River System below Lee Ferry, and also all parts of said states located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the System below Lee Ferry.

(h) The term "domestic use" shall include the use of water for household, stock, municipal, mining, milling, industrial and other like purposes, but shall exclude the generation of electrical power.

Article III.

(a) There is hereby apportioned from the Colorado River System in perpetuity to the Upper Basin and to the Lower Basin respectively the exclusive beneficial consumptive use of 7,500,000 acre feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

(b) In addition to the apportionment in paragraph (a), the Lower Basin is hereby given the right to increase its beneficial consumptive use of such waters by one million acre feet per annum.

(c) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River System, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b); and if such surplus shall prove insufficient for this purpose, then, the burden of such deficiency shall be equally borne by the Upper Basin and the Lower Basin, and whenever necessary the States of the Upper Division shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (d).

(d) The states of the Upper Division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre feet for any period of ten consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact.

(e) The states of the Upper Division shall not withhold water, and the states of the Lower Division shall not require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses.

(f) Further equitable apportionment of the beneficial uses of the waters of the Colorado River System unapportioned by paragraphs (a), (b) and (c) may be made in the manner provided in paragraph (g) at any time after October first, 1923, if and when either basin shall have reached its total beneficial consumptive use as set out in paragraphs (a) and (b).

(g) In the event of a desire for a further apportionment as provided in paragraph (f) any two signatory states, acting through their Governors, may give joint notice of such desire to the Governors of the other signatory states and to the President of the United States of America, and it shall be the duty of the Governors of the signatory states and of the President of the United States of America forthwith to appoint representatives, whose duty it shall be to divide and apportion equitably between the Upper Basin and Lower Basin the beneficial use of the unapportioned water of the Colorado River System as mentioned in paragraph (f), subject to the legislative ratification of the signatory states and the Congress of the United States of America.

Article IV.

(a) Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural and power purposes. If the Congress shall not consent to this paragraph, the other provisions of this compact shall nevertheless remain binding.

(b) Subject to the provisions of this compact, water of the Colorado River System may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes.

(c) The provisions of this article shall not apply to or interfere with the regulation and control by any state within its boundaries of the appropriation, use and distribution of water.

Article V.

The chief official of each signatory state charged with the administration of water rights, together with the Director of the United States Reclamation Service and the Director of the United States Geological Survey shall cooperate, ex officio:

(a) To promote the systematic determination and coordination of the facts as to flow, appropriation, consumption and use of water in the Colorado River Basin, and the interchange of available information in such matters.

(b) To secure the ascertainment and publication of the annual flow of the Colorado River at Lee Ferry.

(c) To perform such other duties as may be assigned by mutual consent of the signatories from time to time.

Article VI.

Should any claim or controversy arise between any two or more of the signatory states (a) with respect to the waters of the Colorado River System not covered by the terms of this compact; (b) over the meaning or performance of any of the terms of this compact; (c) as to the allocation of the burdens incident to the performance of any article of this compact or the delivery of waters as herein pro-

vided; (d) as to the construction or operation of works within the Colorado River Basin to be situated in two or more states, or to be constructed in one state for the benefit of another state; or (e) as to the diversion of water in one state for the benefit of another state; The governors of the states affected, upon the request of one of them, shall forthwith appoint commissioners with power to consider and adjust such claim or controversy, subject to ratification by the legislatures of the states so affected.

Nothing herein contained shall prevent the adjustment of any such claim or controversy by any present method or by direct future legislative action of the interested states.

Article VII.

Nothing in this compact shall be construed as affecting the obligations of the United States of America to Indian tribes.

Article VIII.

Present perfected rights to the beneficial use of waters of the Colorado River System are unimpaired by this compact. Whenever storage capacity of 5,000,000 acre feet shall have been provided on the main Colorado River within or for the benefit of the Lower Basin, then claims of such rights, if any, by appropriators or users of water in the Lower Basin against appropriators or users of water in the Upper Basin shall attach to and be satisfied from water that may be stored not in conflict with Article III.

All other rights to beneficial use of waters of the Colorado River System shall be satisfied solely from the water apportioned to that basin in which they are situate.

Article IX.

Nothing in this compact shall be construed to limit or prevent any state from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under this compact or the enforcement of any of its provisions.

Article X.

This compact may be terminated at any time by the unanimous agreement of the signatory states. In the event of such termination all rights established under it shall continue unimpaired.

Article XI.

This compact shall become binding and obligatory when it shall have been approved by the legislatures of each of the signatory states and by the Congress of the United States. Notice of approval by the legislatures shall be given by the governor of each signatory state to the governors of the other signatory states and to the President of the United States, and the President of the United States is requested to give notice to the governors of the signatory states of the approval by the Congress of the United States.

In Witness Whereof, the commissioners have signed this compact in a single original, which shall be deposited in the archives of the Department of State of the United States of America, and of which a duly certified copy shall be forwarded to the governor of each of the signatory states.

Done at the city of Santa Fe, New Mexico, this twenty-fourth day of November, A. D. one thousand nine hundred and twenty-two.

W. S. NORVIEL.
W. F. MCCLURE.
DELPH E. CARPENTER.
J. G. SCRUGHAM.
STEPHEN B. DAVIS, JR.
R. E. CALDWELL.
FRANK C. EMERSON.

Approved:

HERBERT HOOVER.

The above-named commission makes the following recommendation:

The members of the Colorado River Commission have had constantly before them the great menace by annual floods to the lives and property of the people of the Imperial and Palo Verde valleys in California, and the Yuma Valley in Arizona, and the anxiety of their thousands of citizens;

Therefore, they earnestly recommend and urge the early construction of works in the Colorado River, of sufficient size to control the floods and permanently avoid the menace, subject to the Colorado River Compact.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California.

I transmit herewith a report of the committee appointed to investigate and report to the next legislature a plan for the proper treatment and care of narcotic drug addicts, and that "such committee be instructed to embody in their report their

recommendations upon the establishment of a hospital for narcotic drug addicts, its cost and location and the approximate number of addicts to be handled therein." Signed by the entire committee appointed pursuant to a resolution adopted by the Senate of 1921.

Yours truly,

WM. D. STEPHENS, Governor.

January 4, 1923.

*To His Excellency, Governor William D. Stephens,
Sacramento, California.*

DEAR SIR:

In pursuance of a resolution adopted by the State Senate on April 21, 1921, (page 1735, Senate Journal, forty-fourth session), wherein it was deemed desirable by the Senate of the State of California to obtain intelligent information upon the subject of drug addiction and the handling of narcotic drug addicts in order that proper legislation might be proposed and in pursuance of your action of October 31, 1921, in appointing the undersigned as members of the committee contemplated in the above mentioned Senate resolution, we beg the honor to report to you as follows:

Your committee has held a number of meetings, has investigated the extent of narcotic drug addiction in California, has interviewed various police and medical authorities and those in charge of institutions and State hospitals in California and other states of the Union. It has corresponded with the departments of health of Great Britain, France, Spain, Norway, Belgium, Denmark, and Sweden in order to make a comparison of the problem which presents itself in the State of California with that elsewhere in the civilized world. Your committee has particularly given attention to the matter of a State hospital for the treatment and cure of those addicted to the use of narcotic drugs and has come to the following conclusions:

From the information procurable it is evident that there are between ten and twenty thousand drug addicts in California occupying all stations of life; many of these addicts are engaged in the illicit traffic in drugs, all of them have a personal interest in having narcotic drugs available for their use. The traffickers in drugs are interested in maintaining the necessary quota of drug users to consume their products. Very few, if any, narcotic drugs are manufactured in California, most of them being manufactured in the east whence they are shipped to old Mexico and other points outside of the United States, whence again they are smuggled into this country and ultimately reach the peddler and through him the consumer. The drug is sold by the manufacturer to the purchaser in Mexico at approximately two cents per grain of morphine, yet when it reaches its ultimate distribution in the hands of the consumer he is obliged to pay approximately fifty cents a grain. This naturally provides an opportunity for an enormous profit to the various dealers in this commodity and such profits serve as a temptation to indulge in the traffic of narcotic drugs.

With ten thousand or more addicts it would obviously be folly to attempt at the present time to provide facilities for the segregation of such a large number. Besides there are thousands of addicts who have the necessary means and influence to avoid falling into the hands of the law. Suppose, therefore, the State should build an institution which would house two thousand addicts, certainly this would serve a very small purpose in reducing the number of addicts. Your committee therefore, does not consider the establishment of such an institution or hospital to be the proper step at the present time in the solution of the narcotic drug problem, nor does the committee consider that the illicit traffic in narcotic drugs lends itself to solution by any state or local community but that it is a matter which could be handled successfully by proper effort on the part of the federal authorities. If the federal government could maintain a strict supervision over the manufacture and distribution of narcotic drugs, including its importation and exportation, enter into treaties with other nations looking toward the control of the importation of opium and its derivatives the solution of the problem of drug addiction would thereby be approached in a practical manner and with the promise of ultimate success. It is also evident to the committee in the matter of punishment of drug peddlers and smugglers, that fines and short jail sentences fall far short of their purposes and that punitive measures to be effective should consist of long jail sentences.

Your committee, therefore, takes the liberty of making the following recommendations:

First, that the Legislature of California memorialize the United States Congress to take such steps looking toward the supervision of the manufacture and importation of narcotic drugs and that treaties be entered into with foreign countries to prevent the smuggling of such drugs into this country.

It is the unanimous opinion of the committee that opium and its derivatives properly used by patients in the hands of the medical profession have been a boon to the human race in the alleviation of suffering and pain and that such proper use of narcotics should in no wise be hampered or interfered with and that the medical profession may be trusted as a whole to properly safeguard those in their charge from abuse of these important and necessary remedies.

The committee further respectfully recommends that the legislature consider the inefficacy of the infliction of fines and short jail sentences upon those convicted of smuggling and peddling narcotic drugs and consider the question of sufficiently long jail sentences as a deterring influence upon smuggling and peddling of narcotics.

Respectfully submitted.

(Signed)

GEORGE E. EBRIGHT, M. D.,
President, California State
Board of Health.

GEO. B. McDOUGALL,
State Architect, Chief Di-
vision of Architecture.

H. B. MEADER,
President, California State
Board of Pharmacy.

EGERTON SHORE,
Member, State Board of
Control.

JOHN A. REILY, M. D.
Member, Lunacy Com-
mission.

Committee.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California.

I transmit herewith the report of the commission to investigate the plan of operation and organization of agricultural colleges in the United States and to recommend a plan for the reorganization of agricultural instruction in the State of California, signed by the entire commission appointed pursuant to Assembly Bill 1335, chapter 698, page 1188, Statutes 1921.

Yours truly,

WM. D. STEPHENS, Governor.

REPORT OF THE SPECIAL LEGISLATIVE COMMISSION ON AGRICULTURAL EDUCATION.

As Authorized by Assembly Bill No. 1335 by the Forty-fourth Session of the Legislature of California.

There is evidently no great horde of eager young people clamoring for an opportunity to work out their destinies on the soil. Everywhere enrollment is lower than one would expect it to be in consideration of the character of the states in which the colleges are located. The truth is that the Morrill Act came as a result of the ideas of one man, not in response to a great social need, and the supply of agricultural colleges has been greater than the educational demand ever since. Fortunately, they have abundantly justified themselves in the influences they have exerted, but the disappointment of California at the comparatively small enrollment in its agricultural college is shared by every state which we visited, no matter what the type of institution in it. The more the commission studied this problem the more it was convinced that the problem of increasing enrollment in agricultural colleges and keeping boys on the farm is not to be solved by changes in curricula, equipment, or method, but by the betterment of the social and economic conditions of rural life. No plan which leaves this out of major consideration is going to succeed in keeping farmers' sons in great numbers on the farm or in attracting the sons of city dwellers to it. This is the great work of the college of agriculture today, and in it the University of California has no superior, so far as we could find. See page—.)

ILLUSTRATIONS.

The illustrations in this report are typical buildings of the colleges and universities visited, and indicate activities for which better provision is needed at the University of California.

1. Agricultural group, Cornell University.
2. Agricultural Hall, Oregon Agricultural College.
3. Horticulture, Agronomy, Agricultural Engineering, University of Wisconsin.
4. Beef Cattle Barn, Purdue University.
5. Women's Building, Agricultural College, University of Illinois.
6. Meat and Meat Products Laboratory, Iowa State College.
7. Agricultural Engineering Laboratory, Iowa State College.
8. Greenhouses and Plant Laboratory, Cornell University.
9. Agricultural Auditorium, Cornell University.
10. Horticultural Building, Massachusetts Agricultural College.

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INTRODUCTION TO THE REPORT.

To the Honorable William D. Stephens,

Governor of the State of California.

The report which follows is the report of the Special Commission provided for by Assembly Bill No. 1335, approved by both houses of the forty-fourth session (1921) of the legislature of California, and signed by you, which reads as follows:

CHAPTER 698.

An act to provide for the appointment of a commission to investigate the plan of operation and organization of agricultural colleges in the United States, and to recommend a plan for the reorganization of agricultural instruction in the State of California, and making an appropriation therefor.

(Approved June 3, 1921. In effect August 2, 1921.)

The people of the State of California do enact as follows:

SECTION 1. The Governor of this State is hereby authorized and empowered to appoint a commission of seven persons, which commission is hereby charged with the investigation of the entire problem of agricultural instruction and investigation. Said commission shall investigate the plan of operation and organization of the leading agricultural colleges of the United States, and report to the Governor before the convening of the forty-fifth session of the Legislature their recommendations upon the reorganization of the agricultural instruction as given in the University of California.

Sec. 2. The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated for the purpose of carrying on the work of said commission as provided for in this act; said money shall be expended and used for the purpose of paying the necessary expenses of the members of said commission while engaged in the performance of their duties, and for all necessary clerical, printing and other expenses connected with the work of carrying out the provisions of this act. The claims of each shall be audited and approved by the board of control in the manner provided by law, and when so approved the State Controller is authorized to draw his warrant therefor, and the Treasurer is directed to pay the same.

In pursuance of the above act, Governor William D. Stephens appointed G. Harold Powell, Los Angeles; W. S. Guilford, Butte City; Doctor Elwood Mead, Berkeley; J. James Hollister, Gaviota; Sheridan W. Baker, Santa Rosa; Sam G. Mortland, Fresno; Robert G. Sproul, Berkeley.

The commission met and organized at San Francisco, electing Mr. G. Harold Powell as chairman. Because of the untimely death of Mr. Powell, on February 18, 1922, it was necessary for the Governor to appoint a new member of the commission, which he did, on March 8, 1922, in the person of Mr. A. C. Hardison of Santa Paula, whom the commission elected chairman. Mr. Powell attended but one meeting of the commission and had no part in the formulation of the final report.

The commission afterwards held four meetings in Berkeley, and one each at Davis, Fresno, Ontario, El Centro, Riverside, Los Angeles and San Francisco.

Public hearings were held in San Francisco, Red Bluff, Sacramento, Fresno and Los Angeles, at which an effort was made to secure the attendance of farmers, graduates of the College of Agriculture, school men, and other persons interested in public education, and particularly agricultural education.

In accordance with the legislation, the commission also made a trip across the continent, studying the more important recent developments in agricultural education elsewhere with a view to adapting the best educational experience and practice of other states to the needs of California.

Throughout its period of service the commission has been aided very greatly by Mr. R. N. Wilson, secretary of the Agricultural Legislative Committee, whose services were loaned to the commission without cost by the organization which employs him. Mr. Wilson not only performed the routine duties of secretary in a highly acceptable manner, but by his wide acquaintance with the agricultural interests of California and his intelligent knowledge of the problems of the commission contributed greatly to anything of merit which it may have accomplished. The commission was also materially assisted by the helpful cooperation of Dean Thomas F. Hunt, and other members of the staff of the College of Agriculture of the University of California, by Mr. Will C. Wood, Superintendent of Public Instruction, and the members of his organization interested in agricultural education, by Mr. Morton W. Hill, principal of the Chateau Union Junior College, by Mr. Nicholas Ricciardi, president of the California Polytechnic School and by Mr. Ben R. Walker, associate editor of the Fresno Republican, who accompanied the commission on its trip across the continent, at his own expense, gave helpful publicity to its efforts, and brought to its assistance the trained ability of a newspaperman to ascertain, select and classify the essential facts presented by the various colleges and universities visited. Many others too numerous to mention here have given assistance to the commission both in California and outside of the state. The commission gratefully acknowledges the contribution of all these persons, both named and unnamed.

From its first meeting the commission has gone on the theory that it was not expected to make an exhaustive survey of the needs and resources of the State in the matter of agricultural education, but that its findings should deal with the general features of the present situation and with principles of action which might improve that situation. It was the opinion of the commission also that the Legislature did not intend that it should deal in detail with such highly professional questions as curricula, but rather that it was intended that the commission should study the more general features of administration and teaching with a view to making recommendations for the strengthening and more effective functioning of the state's agricultural educational system. To have adopted any other point of view would have required time, money, expert help and professional ability which the commission did not have and for which the legislature had made no financial provision. The commission has also felt that in dealing with the system of agricultural education in this State, account should be taken of the nature and direction of the historical development which has taken place since the agricultural college was first contemplated, in 1860, and should also be in harmony with the best American experience in the organization and administration of agricultural teaching.

On the basis of these principles, the commission has divided its study into three sections: Elementary and Secondary Schools, Farm Schools, and Universities and Colleges, and as was the plain intent of the bill which created the commission, has concentrated the major part of its time and effort on the latter subdivision. The basis upon which the hearings with reference to universities and colleges were developed is set forth in full in the chapter devoted to those institutions. The study of the commission, of course, went far beyond the formal limits of the questionnaire which is set forth, but it was the basis of study and shows the general character of the problems on which the commission sought light.

The attempt of the commission in the chapters which follow has been to set forth the historical background of each type of institution, the present character and future program of the institution and the conclusions and recommendations of the commission based upon the former two factors. The commission has not, in most cases, made any suggestions as to legislative or administrative details, but has tried to offer a constructive program for improvement which might be worked out over a period of years.

Respectfully submitted,

A. C. HARDISON.
W. S. GUILFORD.
ELWOOD MEAD.
J. JAMES HOLLISTER.
SHERIDAN W. BAKER.
SAM G. MORTLAND.
ROBERT G. SPROUL.

ELEMENTARY AND SECONDARY SCHOOLS.

Recent legislative acts of the National government have provided the basis for a sound countrywide system of agricultural education in public schools of less than University grade. The program outlined in the Smith-Hughes, or Vocational Education Act, of 1917, has been adapted to the needs of practically every state in the Union and whatever differences now exist are not fundamental. The commission, therefore, confined its study of this phase of the problem of agricultural education to a survey of conditions in California alone, thinking it more important to review the local situation than to multiply evidences of the successful application of the broad general theory in the several states visited on its tour of investigation.

Before entering upon a discussion of the system of agricultural education in the schools of California it will be well to briefly review the character and purpose of the National Vocational Education Act. It is by compliance with the requirements of this act that federal funds are made available for the furtherance of agricultural education within the state, and much of our present system of instruction in the elementary schools and the high schools is dependent upon the continuance of this federal aid. As stated in its preamble, the Vocational Education Act is an act to provide for the promotion of vocational education; to provide for cooperation with the several states in the promotion of such education; to provide for cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money for these several purposes and to regulate its expenditure. A Federal Board of Vocational Education was created by the act and authorized to carry out its provisions.

The Legislature of the State of California accepted the provisions of the Federal Vocational Education Act in an act passed and approved in May, 1917. This act provided, among other things, for the acceptance of funds for the payment of salaries of teachers, directors, and supervisors of agricultural subjects, and the maintenance of courses, classes, or schools for the training of such teachers, directors and supervisors. Some of the more important articles of the agreement entered into by the California State Board of Education and the Federal Board of Vocational Education for the administration of the federal and state acts may be enumerated as follows:

1. All courses and classes must be under the supervision and control of the public school authorities. The supervision of agricultural education is to be under the direction of a Commissioner of Vocational Education, assisted by a Supervisor of Agricultural Education, both officials to act under the plan of supervision established by the State Board of Education and approved by the Federal Vocational Board.

2. Courses are to be established and maintained only by high school boards. These boards have control of both high schools and intermediate elementary schools.

3. The controlling purpose of all such education is to be the fitting of pupils for the occupation of farming.

4. The instruction in all courses must be of less than collegiate grade.

5. The courses are to be designed for and open to all persons over fourteen years of age.

6. The teachers placed in charge of such courses must hold special certificates in agriculture of the vocational or technical arts type and must be experienced in farming.

7. On the average not less than three hours per day of each pupil's time must be devoted to farm project work and the instruction pertaining thereto; and not less than three hours per day to academic work in class or in school. Each pupil must conduct at least one farm project during the year, such project to be selected separately for each student on the basis of his interest, opportunity, and ability. Project work consists of the production and marketing of farm, orchard, vineyard, or garden crops or of bees, poultry, stock, or other animals and their products. All projects must be conducted on a commercially productive basis. Each pupil must buy, lease, or rent the necessary land and animals, purchase the necessary seed, fertilizers, and feed, rent teams and farm implements, employ labor, market the product, and keep a complete record of all transactions, together with the time spent on the project. Final balancing of the books proves the success or failure of the project as a commercial venture. Project work must be supervised by the agricultural teacher.

8. In accepting the terms of the Federal Vocational Education Act the State of California agrees to appropriate one dollar for every dollar received from federal sources for the aid of agricultural education.

Elementary Schools.

Having thus briefly outlined the acts and agreements governing agricultural education in this State we may now turn to consideration of the particular methods employed in the various classes of schools. For more than fifteen years section 1665 of the Political Code of California has required all elementary schools to give instruction " * * * in nature study, with special reference to agriculture * * *". Practically all of our teachers' colleges offer some instruction in agriculture in order that the teachers graduated may be prepared technically to com-

ply with this regulation of the statutes. But girls reared in the city generally have little understanding of such conditions and can not be successfully prepared to teach agriculture in a brief auxiliary course of instruction. This fact, combined with a lack of interest or initiative on the part of many country school authorities, has led in the past to a more or less general disregard of the law requiring agricultural instruction in the grade schools. There have been a few notable exceptions to this general statement, but they do not greatly affect its application to the State as a whole.

In the city schools the problem has been and is admittedly a difficult one, but the need is not so pressing as in the rural districts. In Los Angeles, Long Beach, Pasadena, San Diego, and in Oakland, work in elementary agriculture and in school and home gardening is now being carried on under the direction of full-time supervisors of agriculture, assisted in some cases by full or part-time agricultural teachers. Pupils receive instruction in the fundamental facts and theories of plant and animal production and certain semivocational training in the landscaping of school and home grounds and in backyard and vacant lot garden projects.

In rural elementary schools it is now possible to provide instruction in agriculture in one of two ways:

1. High school teachers of agriculture generally devote part of their time to work with pupils of the grade schools.

2. County supervisors of agriculture have been appointed in several counties to organize and oversee agricultural instruction.

High school teachers of agriculture, especially those working under the provisions of the Vocational Education Act, are required to devote part of their time to extension work in their particular high school district. Most often this extension work takes the form of giving lessons in agriculture in the rural grade schools and in organizing and supervising boys' and girls' agricultural clubs. Practically every rural school in the state is now included in or affiliated with some high school district and there has been a steady increase in the number of high schools employing agricultural teachers. Here appears to be the nucleus for a sound and practical system of worth-while instruction in agriculture in the rural grade schools. If every high school in the state employed an agricultural teacher and if the teacher's schedules were so arranged that sufficient time would be available for periodical visits to the elementary schools of the district, much would have been accomplished. On each visit instruction would be given which could be applied to local or community problems and such instruction should be of interest to all pupils in the school. Such a system might well be the means of arousing and sustaining the interest of farm children in farm life and, if it should be, this fact alone would justify the expense involved.

County supervisors of agriculture have been appointed in Fresno, Santa Clara and Kern counties. In Fresno and Santa Clara counties the supervisors devote their full time to organizing and supervising instruction in agriculture in the elementary schools. In Kern County the supervisors' activities are limited to the Kern County Union High School District. This office was made possible by an act of the 1921 Legislature which placed \$1,400 at the disposal of each county superintendent of schools for every 500 rural pupils enrolled in the county, such money to be used for rural school supervision, although not necessarily for a supervisor of agriculture. County supervisors of agriculture will be chiefly valuable in counties where there are no teachers of agriculture in the high schools capable of or with sufficient time to carry on similar work. It would seem, however, that if it is possible to have a teacher of agriculture in every high school, with time for work in the elementary schools of his district, the necessary instruction would be better given than where one man is serving the entire county and the actual instruction is in the hands of the regular grade school teachers.

In connection with the work now being carried on in the rural elementary schools, some mention should be made of the boys' and girls' agricultural clubs organized under the direction of the Agricultural Extension Service of the University. A large part of this work has been done in cooperation with the rural school teachers. During the year 1922 there were three hundred and ten clubs in the State with a total enrollment of nearly twenty-four hundred boys and girls. This work is being carried on under the provisions of the Smith-Lever Act passed by the Congress of the United States in 1914. The declared purpose of this act is "to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics and to encourage the application of the same by means of cooperative extension work of the Land Grant Colleges and the United States Department of Agriculture." The agents delegated to supervise this work in California are the county farm advisers, the home demonstration agents, and the boys' and girls' club leaders.

Some question has arisen concerning the possibility of a conflict in the work of extension agents and vocational agricultural teachers and also concerning the propriety of the University carrying on work with children of the State through the elementary schools. This controversy, if it merits such a name, is largely a technical one. The first question has been cleared up to a large extent by a recognition of the diverse nature of the work of the two groups and by supplementary

agreements entered into between the directors of each type of educational service. Extension workers, in contradistinction to vocational teachers, do not offer a systematic course of instruction, but deal almost entirely with specific problems of farm practice and business management in particular rural communities. Furthermore, the relationship which should exist between the extension workers (Smith-Lever Act) and vocational teachers (Smith-Hughes Act) has been definitely outlined by an agreement entered into by the United States Department of Agriculture and the Federal Vocational Education Board, an agreement which has been amplified informally and ratified by the proper authorities in this state. The general form of the agreement may be stated as follows:

1. It is to be understood that all agricultural extension work should be administered by those in charge of extension activities in the state and that all vocational education in agriculture should be administered by those in charge of the vocational schools of the State.

2. That all extension work with adults done by teachers in vocational schools be in accordance with the plans of the extension system for the state, and in cooperation with the agent who is in charge of the administration of the extension work in the county.

3. That in counties having vocational schools of agriculture the extension service will conduct its extension work in agriculture with children, chiefly through the organization of clubs for the carrying on of definite pieces of work for the improvement of agricultural practice. The practical agricultural work of the schools will chiefly consist of home project work by the students as a part of the systematic practical instruction provided for in the Smith-Hughes Act. It is advised that in such counties a cooperative agreement be made between the extension authorities and the school authorities whereby it will be arranged for the teachers of agriculture to take part in the extension activities with the children within the territory of the school and that such territory be set forth in the agreement.

4. That in every case care be taken to see that work which is supported by federal funds under any of the aforementioned acts will not in any way duplicate or overlap work being carried on in that same community when that work is supported in any part from another federal fund.

The second question which relates to the activities of the Agricultural Extension Service of the University and the State Board of Education is not strictly a debatable one. It must be admitted that all activities organized in public schools and supervised by teachers in these schools should be under the control of the regularly constituted school authorities. Whenever the State Board of Education is ready and equipped to take over the agricultural club work in the schools, the Agricultural Extension Service of the University will undoubtedly be willing to transfer the burden.

High Schools.

The year 1909 marks the beginning of serious attempts to introduce instruction in agriculture into the curricula of the high schools of the State. During the following eight years approximately one hundred high schools offered, and in some cases maintained, instruction in various agricultural subjects. None of these schools gave a complete course in agriculture, however, and with few exceptions the courses given depended wholly upon classroom work and textbook study. Notable exceptions were the high schools at Bakersfield in Kern County and Gardena in Los Angeles County, both of these schools having acquired school farms upon which the practical aspects of agriculture might be taught and studied. It would be well to note here, however, that both schools have abandoned the idea of training farmers on high school farms. They do not provide normal conditions and have proved expensive to maintain.

The movement to introduce agricultural courses into the secondary school curricula met with indifferent success during this period from 1909 to 1917. This is not surprising inasmuch as it was a period of experimentation and time was needed to adjust educational theories to the needs of the pupil and the community. Perhaps the chief weaknesses displayed in these early attempts were the highly theoretical nature of the courses offered and the general confusion of the purpose of agricultural instruction in secondary schools with the purpose of collegiate instruction in the same subject.

It was not until the Vocational Education Act became effective in 1917 that a policy for the development of agricultural courses in the high schools was adopted, which combined the project idea of training in the art and business of farming, with instruction in the science of farming. Since that time steady progress has been made in correlating the work done in class and laboratory with the practical problems encountered in the field. Even students not residing on farms are urged to secure experience by working on farms and, before they have completed their course, they must submit evidence of having worked a definite length of time on an accredited farm, such work to be performed under the supervision of a teacher of agriculture.

When the State accepted the provisions of the Federal Vocational Education Act, the State Board of Education decided that the first step in a sound program for the promotion of vocational education in secondary schools was the development of courses of study and methods of instruction which would be suited to the general and particular needs of various communities. This was and is pioneer work. The State Board of Education has cooperated with local high school boards in the establishment of a limited number of federal and State aided four-year courses in agriculture. The schools giving these courses are well distributed geographically throughout the agricultural regions of the State, only three being located in large cities, namely, Los Angeles, Pasadena, and Oakland.

The locations were all selected with due regard for the agricultural possibilities of the community, the size and the population of the high school district, and the attitude of the school authorities and the people of the community toward the work. No attempt has been made to favor the poorer high school districts with apportionment of federal and State funds. In fact, it has been deemed wiser to secure the cooperation of the wealthier districts in solving the many problems presented so that later, when satisfactory methods and courses of study have been evolved, the poorer districts can be included in the work with a minimum of waste and inefficiency in the expenditure of funds.

Progress has been gratifying although slow. High school boards, principals, and teachers, change so often that it is extremely hard to maintain a constant policy with regard to agricultural instruction in a given community. When difficulties confront the school authorities exploring new educational fields, and the cry is raised for lower taxes, the tendency is to revert to the old classroom, textbook methods of instruction. The terms of the Vocational Education Act and the regulations of the State Board of Education are designed to prevent such retrogression, but the withdrawal of federal and state funds is a negative remedy and does not aid pupils desiring an education in agricultural subjects.

The following table shows the development of courses in agriculture under the provisions of the federal and State vocational education acts from 1917 to date. For purposes of organization and supervision the State has been separated into five regional divisions, the constituent parts of each division having broadly similar problems in the field of agricultural education and practice. The figures are presented for each of these regional divisions.

Number of Schools Offering Courses in Agriculture Under the Provisions of the Federal and State Vocational Education Acts, 1917-1922.

Regional division	1917-1918	1918-1919	1919-1920	1920-1921	1921-1922
Southern California	6	7	9	11	13
South Coast (Contra Costa to Ventura)	0	4	6	7	8
North Coast (Marin to Del Norte)	0	4	6	6	8
San Joaquin Valley	3	4	6	5	8
Sacramento Valley	1	3	5	10	13
Total schools aided	10	22	32	39	50
Total enrollment in classes	172	337	640	1097	1281

In the year 1922 vocational courses in agriculture were established in sixty high schools in twenty-six counties, the total enrollment being approximately 1500 pupils. Of these schools twenty-five offered a full four-year course and the majority of the remainder a two-year course. For the smaller schools in the poorer districts the two-year course is perhaps all that can be developed at least for some time to come.

If sufficient funds had been available, forty or fifty more high schools would now be conducting vocational courses in agriculture under the federal and State vocational education acts. It is the policy of the State Board of Education to authorize the establishment of only a limited number of courses for which the funds available will be adequate.

It was not the purpose of the federal and state vocational education acts to provide funds for vocational courses already well financed by local communities and there are approximately sixty high schools and junior high schools in the State which are offering agricultural instruction independent of federal and State aid. There is a great variation in both the method and the scope of the work offered in these schools. Some teach entirely from books and others have well organized vocational courses. Some offer only one class in agriculture and others offer a full four-year course. Of the better type, one of the best examples is the Kern County Union High School at Bakersfield. A brief outline of their methods should be of value as they are pioneers in the work and have achieved a marked degree of success in recent years.

Instruction is divided between class, laboratory, and field, approximately one-third of the available time being given to each method of instruction. The practice work, including project work, and boys' club work, is all carried on outside school hours. One type of work is taken up each school year.

First year: Plant growth and habits; soils; vegetable gardening; poultry raising; bee keeping; project allied to class work.

Second year: Animal husbandry; dairying; project allied to class work.

Federal and State Aided Classes in Agriculture for the Year 1921-1922.

Location and school	Full-time, part-time or special class	Sixty-minute		Enrollment	Amount of federal and state aid
		No. of classes	hours of instruction per week		
Adin-Big Valley Joint Union High	full-time	1	30	9	\$794 38
Azusa-Citrus Union High	full-time	1	30	21	1,074 76
Brawley Union High	full-time	1	30	20	1,074 76
Campbell Union High	full-time	2	30	24	1,411 22
Caruthers Union High	full-time	1	30	16	941 30
Chico High	full-time	1	30	11	673 84
Chino High	full-time	1	30	76	1,635 44
Chowchilla Union High	full-time	1	30	15	794 38
Colusa	full-time	2	30	27	1,108 96
Concord-Mount Diablo Union High	full-time	1	30	22	1,074 76
El Centro-Central Union High	full-time	1	30	20	962 62
Esparto Union High	full-time	2	30	28	1,443 92
Easton-Washington Union High	full-time	1	30	20	1,074 76
Fair Oaks-San Juan Union High	full-time	2	30	33	1,318 70
Fortuna Union High	full-time	1	30	17	1,074 76
Fresno City High	full-time	1	30	18	1,074 76
Fullerton Union High	full-time	2	30	28	1,074 76
Geyersville Union High	full-time	2	30	15	998 08
Gilroy High	full-time	2	30	13	1,439 26
Gonzales Union High	full-time	2	30	14	1,046 00
Grass Valley High	full-time	1	30	15	934 58
Hemet Union High	full-time	1	30	23	1,018 70
Holtville Union High	full-time	3	30	35	1,532 70
Kingsburg Joint Union High	full-time	2	30	24	1,261 66
Lakeport-Clear Lake Union High	full-time	2	30	18	1,261 68
Lancaster-Antelope Valley Union High	full-time	2	30	16	1,443 92
Lodi Union High	full-time	3	30	44	1,803 18
Los Angeles:					
Owensmouth	full-time	1	30	24	906 54
Jefferson High	full-time	1	30	17	906 54
Los Molinos High	full-time	1	30	22	1,015 83
Marysville High	full-time	1	30	20	794 40
McArthur-Fall River Jt. Union High	full-time	1	30	14	1,019 70
Modesto High	full-time	3	30	43	1,626 16
Morgan Hill-Live Oak Union High	full-time	2	30	17	1,448 60
Napa Union High	full-time	1	30	17	794 38
Oakland-Fremont High	full-time	2	30	40	1,803 00
Ontario-Chaffey Union High	full-time	4	30	99	1,869 00
Oroville Union High	full-time	1	30	9	841 12
Pasadena High	full-time	3	30	50	1,692 00
Petaluma High	full-time	2	30	36	1,822 00
Princeton Joint Union High	full-time	1	30	6	1,074 76
Riverdale Joint Union High	full-time	1	30	15	991 30
Riverside-Polytechnic High	full-time	1	30	22	1,074 76
Roseville Union High	full-time	2	30	39	1,074 76
Salinas Union High	full-time	2	30	28	1,523 00
Santa Cruz High	full-time	2	30	43	1,175 70
Santa Rosa High	full-time	1	30	34	1,045 70
Sebastopol-Analy Union High	full-time	2	30	30	1,542 00
Upper Lake Union High	full-time	2	30	17	1,261 00
Woodland High	full-time	2	30	20	1,074 76
Totals				1,281	\$59,713 86

In addition there are forty high schools and eleven junior high schools offering courses in agriculture which are not reimbursed from State funds.

Third year: Horticulture; viticulture; project allied to class work.

Fourth year: Farm management; soil conditions; project in farm management.

In addition to the agricultural courses given in the Kern County High School the agricultural teaching staff, now numbering five people, visits certain of the grammar schools in the county each week and gives agricultural instruction to pupils in the grades. These men do not teach nature study and call it agriculture. They select important agricultural problems of the community and discuss them with the pupils. One hundred and seventy-nine grammar school students were given instruction of this kind last year.

Junior Colleges.

With the enactment of recent legislation looking toward the development of junior colleges, considerable interest has been manifested in the inclusion of agricultural courses in the curricula of these institutions. The Chaffey Junior College at Ontario is the only institution of its kind in the State which is at present offering instruction comparable to that offered in the first two years of the College of Agriculture, University of California. Schools at Fullerton, Modesto, and Santa Rosa are offering one or more junior college courses in agriculture this year in

addition to some basic science courses. Schools at Lodi, Petaluma, Sacramento, Salinas, and Sebastopol are contemplating the establishing of junior college courses in agriculture, as are the Chico and Fresno State teachers colleges. It is probable that when the cost of installing and maintaining a course similar to that given at Chaffey Junior College is realized, many contemplated plans will be modified or abandoned. This opinion is further strengthened by the fact that with the development of the freshman and sophomore courses at the branch of the College of Agriculture at Davis and the possible further duplication of this work under the auspices of the university in southern and central California, there may not be enough demand for further junior colleges of agriculture to justify their existence.

Two types of work may be given profitably in junior colleges of agriculture, the one vocational, the other academic. The first will meet the needs of those who will complete their institutional training when they are graduated from the junior college. It should be organized along vocational lines with due respect for the major agricultural interests of the region in which the school is located, and should not attempt to prepare the student for further work of university grade. The academic courses, on the other hand, should be designed to give students who complete them, junior standing in the university. The courses in the basic sciences and in applied agriculture would of necessity be similar to, if not identical with, the courses given in the first two years of the College of Agriculture at the university. As has been previously stated, the cost of installing and maintaining courses of the latter type would in most cases be prohibitive.

Brief mention should be made here of the remarkable work accomplished by the Chaffey Junior College of Agriculture. It has now been in operation for three years and has become an important part of the educational system in southern California. Primarily its function is to serve the needs of high school graduates and adults who find it difficult or impossible to leave home for further schooling. Certain courses have been planned so that students may receive two years credit toward college graduation. Other courses have been planned for those who wish to broaden their general education, but who do not contemplate attendance at the university. A third group of short courses has been designed for those who can spend only a limited amount of time in school during each year.

The Chaffey school is on a 30-acre campus in the Ontario-Upland section. Its equipment includes four main buildings devoted to class, laboratory, and library purposes; a greenhouse; a lath house; a gymnasium; and a large athletic field. The library is endowed and contains 15,000 carefully selected volumes which are being added to each year. In the reading room 100 daily, weekly, and monthly publications are kept on file.

The agricultural instructors at Chaffey Junior College not only give classroom and field instruction, but they also carry on extension work among the farmers of the district and conduct experimental and demonstration plots on the school grounds and on private farms in the vicinity. Courses are offered in citriculture, deciduous fruit culture, animal husbandry, dairying, bee husbandry, poultry husbandry, and in the sciences underlying all branches of agriculture. During the present year enrollment at Chaffey Junior College of Agriculture totaled two hundred and eighty pupils and the average daily attendance has been close to 250 pupils.

Conclusions of the Commission.

1. The basis for a sound and practical system of agricultural education in the elementary and secondary schools of California has been provided by the Federal and State Vocational Education Acts of 1917.

2. The principal need of the elementary schools of the State is for a competent corps of instructors. If the regular grade teachers are to instruct pupils upon agricultural subjects they must receive a more thorough preparation for the work, and they should be under the close supervision of a specially trained district director of agricultural education. An alternative plan which holds promise of even better results, is to place the actual teaching of agriculture in the grade schools in the hands of the local high school teachers in agriculture. When every high school has an agricultural department this will be a possible and practical solution of the problem of teaching agriculture in the elementary schools.

3. In the high schools the Smith-Hughes work has made a successful beginning and its extension is recommended. The project feature of this type of agriculture instruction has proved particularly valuable. Constant improvement of the high school teaching personnel is distinctly desirable and is rapidly taking place.

4. Agricultural instruction given in the high schools either now or in the future, should be better correlated with the work given in the College of Agriculture of the university than has been the case in the past. This is a practical possibility under present university requirements and is usually neglected because of unfamiliarity with these requirements.

5. In the opinion of the commission, junior colleges of agriculture, equivalent to the first two years of the College of Agriculture in a university, can not be efficiently conducted or adequately financed except by the State. The brilliant record of Chaffey Junior College might seem to indicate that this opinion is erroneous, but we believe that the community in which Chaffey is located is unusually rich and we doubt if even it will always bear easily the constantly mounting cost of

scientific agricultural education, research and extension. Whether it will or not, there are certainly few other districts which could copy it, and it is therefore not practical to look in this direction for state development.

6. As a practical substitute for the Chaffey type of school and as a supplement to the College of Agriculture of the University of California and its branches, this commission strongly recommends that consideration be given by the State Board of Education to the extension of agricultural instruction by the project system into the junior colleges. Under this system a reasonable number of junior colleges, strategically located, could, without the very heavy expense of land, buildings, livestock, and farm equipment, conduct worth-while vocational agricultural courses that would be a very serviceable factor in keeping the boy on the farm and fitting him to make of the farm a profitable business venture.

7. Finally, the Commission recommends strongly that support and encouragement be given the branch of the College of Agriculture at Davis where the facilities and staff are such as to guarantee the most successful results in the first two years beyond the high school, both from the point of view of vocational and professional training. This type of school can not be duplicated by any smaller political subdivision than the state, and it should not be duplicated even by the state, which after all has not limitless finances, until the need develops. Neither enrollment nor any other factor indicates that need at the present time, but when such need does appear, it would seem logical that similar institutions should be established in central and southern California.

FARM SCHOOLS.

The State of California has a well-established high school system, including a number of schools offering instruction in agriculture and rural home-making. These schools provide the most efficient and least expensive means both for a general cultural education and for instruction of secondary grade in agriculture and home economics, with the added advantage that they are in the communities where the pupils reside. These schools meet the requirements of the State as college preparatory schools and as vocational schools of secondary grade.

On the other hand, the College of Agriculture of the University of California provides adequate higher instruction. This instruction, by its very nature, requires a large staff of specialists and relatively expensive equipment. The College of Agriculture can for the present meet every need of California with respect to collegiate instruction in agriculture; it requires only additional funds and facilities to make fully available its very efficient staff. No state in the Union has more than one state college of agriculture (except the negro colleges in the south), and it seems highly doubtful if even California can at this time afford to maintain more than one.

Between these two groups of institutions there is a limited educational service to be rendered by what are generally known as farm schools. These should be vocational training schools of secondary grade, teaching the practical handicrafts and well-established principles of agriculture and home-making to relatively immature persons, or to those whose time or educational limitations will not permit more extended training. They are, in part, maintained by Smith-Hughes funds and are subject to the provisions of the Smith-Hughes Act "that such education shall be of less than college grade and be designed to meet the needs of persons over fourteen years of age who have entered upon, or who are preparing to enter upon, the work of the farm or of the farm home." This act recognizes distinctly the secondary school pupil and no other.

It is of great importance that California definitely determine its policy with reference to these special schools basing it on a clear knowledge of the educational service to be rendered by such schools and of their relation to other units in the educational system. The highest efficiency and the greatest economy of educational organization and administration can be obtained only through a clear differentiation of purpose and functions among the various classes and grades of institutions and through a strict observance of these functions and limitations.

The commission was informed that several of the states in this country had made serious errors in the organization of their educational systems by allowing unwarranted duplication to arise when local or political considerations have over-riden logical planning. They therefore made a careful study of the farm schools (where such schools existed) in all of the states visited. Following is a description of the farm schools of Montana, Minnesota, Wisconsin, New York, and California:

Montana.

As originally organized under the state constitution in 1893, there were four separate institutions of higher learning in Montana widely separated from each other in location. These were the State University at Missoula, the State College (Land Grant College) at Bozeman, the State School of Mines at Butte, and the State Normal School at Dillon. In 1913 the four colleges were combined by legislative action and declared to be one institution, the University of Montana.

The School of Agriculture at Bozeman, the only institution in the state offering a complete course of agricultural instruction of secondary grade, is connected with the State College of Agriculture and Mechanic Arts at the same place. The course

extends through three years of six months each (eighteen months of actual instruction) and classes are held only in the winter months when farm workers are more easily spared from their usual labors. For admission to the school students must have passed the eighth grade of grammar school or must give satisfactory evidence to the principal of their ability to carry the prescribed courses. Persons 21 years of age or over may be admitted to the school without having completed the eighth grade provided they have had some practical experience in farm work and possess some common school education. There were 103 students registered for instruction in the school at the opening of the 1922-1923 school year. In 1921-1922 there were 173 students, and in 1920-1921 there were 126 students. (One woman student was included in the enrollment figures for 1921-1922.) Students who complete the course with satisfactory grades are given certificates of graduation. The courses offered are intended to prepare students for practical farm operation rather than for entrance to college.

The plant and apparatus at the disposal of the school are the same as that used by the College of Agriculture. The college grounds and farm contain 455 acres. Ninety-five acres of this land constitutes the college campus and 360 acres are used for farming and experiment station purposes. The equipment includes a modern dairy, a complete poultry plant, model farm buildings and barns, herds of purebred live stock, orchards, greenhouses, grain, soil, biological, chemical, and physical laboratories, wood and iron-working shops, and a selected group of farm implements, tractors and gas engines.

Courses are offered in the usual agricultural and allied subjects and in addition instruction is given in English and in military science. The main subdivisions of the school curriculum are agricultural engineering, agronomy, animal husbandry, dairy husbandry, entomology and zoology, horticulture, poultry husbandry, and veterinary science.

Bozeman, the seat of the College of Agriculture, where the courses in the school of agriculture are given, is in the center of a very rich farming area.

Agricultural educators and state officials in the State of Montana are not in favor of expanding the present School of Agriculture nor of creating new schools of this type. Their present policy is to broaden the courses of study in the regular high schools of the state to include instruction in agriculture and home economics, and they claim that very effective work is now being done in this way. One or more trained agricultural teachers are added to the teaching staff of the high school and work is continued throughout the year, both in the classroom and on experimental plots on the home farms of the pupils. In some cases the State College of Agriculture is cooperating in this work by supplying teaching aid.

According to the authorities in this state the teaching of agriculture in the regular high schools will accomplish all that might be accomplished by separate agricultural schools. They believe that by this method more people will be reached, standards of instruction will be maintained, and state expenses will be reduced. Their experience thus far has partially supported this belief.

Minnesota.

Secondary schools of agriculture in this state are an integral part of the Department of Agriculture of the University of Minnesota and are administered by the university authorities. There are three such schools, the Central School located at the seat of the university, St. Paul, the Northwest School at Crookston, and the West Central School at Morris. Each school has its own separate faculty and is not dependent upon the State College of Agriculture for teaching aid. The schools are co-educational. The total enrollment in all schools by decades since 1901 has been as follows: 1901, 450; 1911, 879; 1921, 955.

The Central School of Agriculture located at the University Farm, St. Paul, is the oldest of the three schools. It was established in 1888. The school does not possess any land but is allowed restricted use of the land of the University Experiment Station including more than 400 acres. All of the mechanical equipment and the live stock of the College of Agriculture is used in the work of the Central School of Agriculture.

The Northwest School of Agriculture at Crookston in the Red River Valley opened in 1906. A second school of agriculture was deemed necessary at this time for two reasons:

1. The distance of the Central School from the northern part of the state. Many possible students were barred from attendance by reason of their inability to expend the time or money necessary to take the course offered at St. Paul.

2. Agricultural conditions in the Red River Valley, in many respects, differ radically from conditions in the southern part of Minnesota, and a school devoting its attention to and operating under local conditions was thought desirable.

There is an experiment station directed by the Department of Agriculture of the University of Minnesota in connection with this school. The farm, consisting of 476 acres, is fully equipped with stock and machinery.

The West Central School of Agriculture was established in 1910 as a part of the Department of Agriculture of the University of Minnesota. It is located at Morris in the western part of the state, and its students are all drawn from that section,

a predominantly agricultural area. The school farm comprises approximately 400 acres. The physical plant is adequate and ample opportunity to work with live stock and mechanical farm equipment is afforded students. This school and the Northwest School, functioning as branches of the Minnesota Agricultural Experiment Station, carry on experimental research and farm extension work.

The requirements for entrance, the curricula, and the graduation requirements of all three schools are similar and in this respect they may be treated as one. The only scholastic qualification for entrance is a grammar school education or its equivalent in practical experience. The curriculum for boys includes training in all branches of agriculture and in associated subjects. The courses include general farming, live stock production, crop production and farm mechanics. For girls the schools offer courses in home economics.

The schools of agriculture are in session six months of the year but the curricula offer a program for the full twelve months, including six months of theory and six months of farm practice. The theoretical work in class and laboratory is given during the six winter months. The farm practice consists of supervised work on a farm (usually the home farm since the large majority of the students at these schools are farm boys) during the six summer months. Graduation requirements include attendance at three winter sessions of six months each, the completion of two summers of supervised farm work, and the attainment of satisfactory grades in the required and the elective work offered, in the course selected.

Under certain conditions work taken in these schools may be used in meeting college entrance requirements, but in all cases of this kind additional preparation is necessary. As a general rule the schools are not designed to prepare students for college. Their field of service lies with farm boys who can only attend school during the winter months; with city boys who desire to become farmers, and who need practical preparation; and with older boys who, because of their age, do not wish to attend the regular high schools.

The educational authorities of the State of Minnesota believe in these schools as institutions which are likely to return boys to the land with greater certainty and less expense than junior colleges or universities. The farm school at the University of Minnesota is probably the least successful in this regard and it is certainly the least popular. Its association with the university has caused confusion, dissatisfaction, and considerable discredit to the Department of Agriculture of the University, from which it cannot be dissociated in the popular mind.

Wisconsin.

Secondary school instruction in agriculture in the State of Wisconsin is provided by six county agricultural schools and by the Short Course in Agriculture offered by the College of Agriculture of the University of Wisconsin. County schools are located at Marinette, Marinette County; Rochester, Racine County; Wisconsin Rapids, Wood County; Menomonie, Dunn County; Onalaska, La Crosse County; and Waunatosa, Milwaukee County. The Short Course in Agriculture is given at Madison, the seat of the state university.

When first organized the county school of agriculture offered only two years of instruction designed for graduates of the grade or grammar schools. Three of the schools, the Dunn, La Crosse, and Milwaukee County schools now have both two and four-year courses. When the latter three schools are inspected by representatives of the University of Wisconsin, they may be declared, under certain circumstances, accredited high schools of the state. Students graduating from the four-year course in agriculture are then allowed to enter the university on the same basis as graduates of the regular high schools, that is upon presenting evidence of having satisfactorily completed eleven units of academic work and four or more units of vocational work, and of having complied with other entrance requirements of the university. Students who complete only the two-year course in the county schools, and who later decide that they wish to attend the university, must go to some high school and complete their four years of work.

The University of Wisconsin has no direct control over the administration of the county schools of agriculture. They are under the direction of the State Superintendent of Public Instruction. It is true that the law authorizing these schools states that the Dean of the College of Agriculture of the University of Wisconsin shall aid in their location and in arranging their courses of study. This latter part of the law has never been observed.

The short course in agriculture at the College of Agriculture of the University of Wisconsin was established in 1885. Instruction is given by the regular members of the teaching staff of the college. The equipment of the college, including four experimental farms embracing 743 acres, is used in the work. The full course consists of two terms of fifteen weeks each and each term is divided into three sections of five weeks each. Students may enter the school at the beginning of any five-week period as the course is so planned that a definite unit of work is completed every five weeks. The school opens in November, closes for the Christmas holidays, begins the second five-week period in January, the third in February, and closes in

Total Expenditures.

Exclusive of commercial activities	\$284,806 40	\$259,188 65	\$386,392 00	\$420,000 00*
Commercial activities	110,496 67	161,464 73	204,781 22	200,377 91
Totals	\$395,303 07	\$420,653 39	\$591,173 22	\$620,377 91

*Estimated.

Land, buildings and improvements, present value	\$592,146 30
Scientific and laboratory equipment	9,730 80
General equipment	85,616 62
Furnishings	23,880 48
Live stock	79,704 50
Total	\$792,378 70

The teaching staff of the branch of the College of Agriculture at Davis is common to both degree and non-degree students. Likewise the equipment of the college, including buildings, machinery and live stock is used by non-degree students. Buildings are provided for classroom and laboratory work in the various subjects in which instruction is offered and in addition there are modern barns for live stock, shops for agricultural engineering work, and sheds for flocks of poultry. Herds or specimens of the more important breeds of the various classes of live stock are maintained on the farm and used in non-degree course work. A large acreage devoted to field crop investigations, a commercial orchard and vineyard, and a small vegetable acreage are also available for field instruction.

The non-degree courses now offered by the branch of the College of Agriculture at Davis include a three-year course for anyone 18 years of age or older who has the equivalent of a grammar school education; a two-year course for high school graduates; and a one-year course for those who can not spend more time in educational preparation for their life work. The non-degree courses are not preparatory to work in the University of California nor do they yield credit toward a bachelor's degree.

The course is primarily practical and a large part of the work is done in the laboratory, shop, and field. Major work is offered in animal husbandry, dairy industry, horticulture, and poultry husbandry. All of the major work offered in any one of these courses may be completed in one year but if a student wishes to obtain a certificate of graduation he must complete at least two years of work. Within these major subjects instruction is also offered in agricultural engineering, agronomy, farm management and practice, olericulture and rural economics, as well as in English, mathematics, hygiene, and physical education. Satisfactory completion of the prescribed work during the school terms and at least three months of supervised work on a commercially operated farm are required for graduation.

It is not possible to determine accurately the number of different individuals who have received instruction at the University Farm since the fall of 1908. The following table indicates that over 5000 persons have been enrolled aside from University students, of which about 2000 were Farm School students and 3000 short course students:

Year	New Students	Short Course	Visitors	Teachers	Total
1908-9	18	109	--	--	127
1909-10	30	63	--	--	93
1910-11	50	123	--	--	173
1911-12	55	163	--	--	218
1912-13	75	187	--	--	262
1913-14	117	134	1	--	252
1914-15	189	165	--	--	354
1915-16	169	181	17	--	367
1916-17	162	233	23	--	418
1917-18	126	314	21	28	489
1918-19	129	289	35	104	557
1919-20	359	492	14	100	965
1920-21	284	339	12	--	635
1921-22	226	294	15	--	535
	1989	3106	138	232	5465

Of this number 399 graduated. A questionnaire was sent to each of these graduates in December, 1921, to which 184 replies were received. These showed the following occupations:

Farming	113
Managers of farms	12
Working on farms	4
Connected with agricultural industries	13
College teachers, scientific workers, etc.	12
Not connected with agriculture	14
Taking further work mainly in agricultural colleges	5
No occupations stated	11
Deceased	1

CALIFORNIA POLYTECHNIC SCHOOL.

The California Polytechnic School is a State school for vocational training in agriculture, mechanical arts, and domestic science. It is administered by the State Board of Education and is in no way connected with the University of California. The school site is about one mile from the town of San Luis Obispo. The farm lands owned by the school cover 1336 acres, 450 of which are tillable, the remainder being rolling hill land and mountain pasture. The principal cereals and field crops, and certain orchard fruits are grown on the farm. It is well equipped with modern machinery and herds of the better known breeds of live stock are now being built up.

The school is a special school intended to meet the educational needs of boys and girls who will probably have to complete their school education when or before they are 17 years old. It is not intended to compete with any high school in the State. The work given does not correspond to that given in the regular high schools and is not usually accepted for entrance to the University. Any boy or girl fifteen years of age or over who is proved capable, by test, of doing the prescribed work is admitted. No elementary or high school graduation certificate is required to secure admission. The agricultural courses offered are generally more practical than theoretical and vocational guidance in actual field work is stressed rather than the science and theory of agriculture. The major courses for boys are two in number. The one dealing with agriculture is entitled General Farm Practice. It covers the field of agronomy, animal husbandry, horticulture, dairying, poultry husbandry, and certain subjects known as related work including English, mathematics, history, physical education, and general sciences upon which modern agriculture is based. The second major course for boys is a course in engineering and mechanics and for girls there is a course in household arts. The regular course in all major subjects is four years in length and the successful completion of all of the prescribed work is required for graduation. Intensive training for shorter periods is given those who can not take the four-year course.

While not strictly in accord with the purpose of the school, it has been deemed wise to include in its curriculum a course which definitely prepares students for work in the University and in teachers' colleges. No detailed program of study is framed for students taking this course, a special program being arranged for each individual. The California Polytechnic School is accredited by the University of California.

Conclusions of the Commission.

As a result of its study of the farm school problem, the scope of which has been outlined above, the commission has arrived at certain definite conclusions which may be briefly summarized as follows:

1. The educational service of the farm school occupies a narrow field of usefulness between the Smith-Hughes work in the high schools and the collegiate instruction in the University, but within this field is of considerable importance.

2. The farm school should be a vocational training school of secondary grade, teaching relatively immature persons the practical handicrafts and the well established principles of agriculture and homemaking, with a minimum of general cultural courses. It should prepare young people for farming and homemaking by the shortest route. It should emphasize the practical and, only in a very limited degree, teach the scientific and theoretical aspects of agriculture.

3. The farm schools should be primarily finishing schools, not college preparatory schools. To become the latter denies the premise upon which they were established. To care for the student who, in the farm school, discovers his "career" and wishes further education, some correlation with the University should be effected, so that certain work would be accepted for matriculation and the balance of the requirements met through examinations.

4. The farm school should not conduct research work of any kind. This can be done only by highly trained specialists, a class of men not needed to impart established knowledge to young people of high school age. It is also very expensive and requires special facilities.

5. The farm school should do no extension work. Extension work deals with mature farmers and brings to them methods based on knowledge of recent and often

incomplete research. This type of service cannot be given advantageously by those who have been chosen primarily for their ability to teach the immature. Reliable extension teaching, which will keep ahead of the demands of the farmers for exact information, can only be done by extension workers who are in close touch with specialized teaching and investigation departments such as exist in the college of agriculture.

6. The farm school should not admit the student over 21 years of age who has discovered too late the need of an education. This student should improve his preparation and enter the University as a special student or should take short course work in the line of his special interest. Experience has shown that the mixing of mature and immature students of varying degrees of preparation and ability is disastrous to the effectiveness of a teaching institution. The type of short course offered at the University of Wisconsin seems to this commission to meet admirably the need of the student who fits neither in the high school, the farm school, or the college of agriculture.

7. The farm school, being a part of the secondary school system, should be under the State Board of Education. This body should insure its rendering its particular service and keep it in proper adjustment with the other units of the school system.

8. The need for farm schools is limited. It is the opinion of the commission that this need in California would be fully met at the present time by the careful, efficient and attractive development of the California Polytechnic School at San Luis Obispo, to which should be transferred all the non-degree work now given at Davis except the short courses for persons beyond high school age.

UNIVERSITIES AND COLLEGES.

During the Civil War President Abraham Lincoln signed the act of Congress of July 2, 1862, known as the first Morrill Act, under which there was granted to each state 30,000 acres of the public domain for each senator and representative; this land to be sold and the proceeds invested so as to bear interest at not less than 5 per cent, except for one-tenth of the total, which might be used for the purchase of sites for the college and experimental farms. The interest was to be used for the endowment, support and maintenance of at least one college where the leading object should be to teach such branches of learning as are related to agriculture and the mechanic arts in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life. Under this act have been established most of the colleges of agriculture, and out of some of these have grown the great state universities which are such a notable feature of our American educational system.

The first institution to receive a grant under the Morrill Act was Iowa State College of Agriculture and Mechanic Arts, which accepted the federal gift on September 11, 1862. This was rapidly followed by Kansas State Agricultural College on February 16, 1863, and Michigan Agricultural College on February 25, 1863. There are now fifty-three land grant colleges, of which the oldest is Rutgers College, New Jersey, founded in 1766, which is a private corporation. The oldest state institution to benefit by the act is the University of Tennessee, established in 1794. The oldest independent state college of agriculture and the mechanic arts is Michigan Agricultural College, established in 1855.

Of the states receiving income under the act, Kentucky, Mississippi, South Carolina, Virginia, and Massachusetts divide the fund between two institutions. The others maintain one college or university to which it goes as a whole. Nineteen states have erected and maintain independent colleges of agriculture and the mechanic arts, while also maintaining state universities; twenty-eight states have but one institution. Massachusetts has no state university and divides the fund between Massachusetts Agricultural College, a state institution, and Massachusetts Institute of Technology, a private foundation. In Montana the agricultural college has a separate name and management, but is by law one of the component parts of the state university, which includes all the state-supported institutions of higher learning.

In California the first attempt to take advantage of the Morrill Act was made in 1866 when the legislature created the "Agricultural, Mining, and Mechanical Arts College," and provided for the purchase of a farm of not less than 160 acres of land. This institution never got beyond the stage of preliminary organization, during which it was affiliated with the College of California, which had opened in 1860, to form the University of California. This institution was created by an "organic act" passed by the legislature March 23, 1868, on which date it also received a land grant fund under the Morrill Act.

Organization of agricultural instruction and research in the University began with the election of a "professor of agriculture, chemistry, agricultural and applied chemistry and horticulture" in 1869. In 1874 the first agricultural buildings were erected—a barn 36x44 feet, a tool house 64x12 feet, two propagation houses; and a number of sheds, outbuildings, hot-beds and cold frames, and shortly thereafter one of the main buildings of the University, afterwards known as South Hall, was erected to house the college of agriculture, which it did in a portion of the basement. Permanent buildings for the college of agriculture were provided on the Hearst architectural plan, and the first of these, Agriculture Hall, was completed in 1912

at a cost of \$200,000. The second, Hilgard Hall, was built in 1917 at a cost of about \$375,000. Between the barns of 1874 and the great buildings of recent date the college of agriculture has gathered unto itself most of the old structures on the campus as their former occupants left for better accommodations or other parts.

The University of California College of Agriculture began as did all its fellows with encyclopedic instruction, but it soon passed from this to the scientific method and in so doing exerting a marked influence on similar institutions elsewhere. Continually since that time California has led the field in the promotion of the scientific point of view and the application of scientific research, but it has followed, sometimes, at a considerable distance, in equipment for instruction and investigation in practical lines. The college has always stood against the inclusion of enforced manual labor in the curriculum, a principle the commission has now found to be accepted all over the country. Another fundamental idea of the college has been that the requirements for admission and graduation in agriculture should be as high as in any other technical college.

Agricultural instruction for some decades was conducted by lecture and classroom methods almost exclusively, and the farmers of the state began to complain that they had a college but no farm and no opportunity for instruction by actual demonstration. This was remedied in some measure through practice courses in the field and various other devices, but agitation was continuous for a real farm. This agitation was often underlaid by separatist schemes and selfish desires to move the college to one location and another, and under such circumstances made little headway with the majority of the farmers, who always contended for building up agricultural research and instruction in the university and not apart from it. Finally, however, a broad and rational proposition was presented to the legislature of 1905 and resulted in the establishment of the University Farm at Davis. This farm was welcomed into the University, and academic ideas broadened to include its functions. The influence of the University Farm has been powerful in developing the college of agriculture and advancing it in public esteem, and has until very recently quieted the separatist movement which is the curse the Morrill Act has laid on so many state universities.

The fact that the Morrill Act was so drawn as to make its benefits available either to a university or to a college carrying on work only in the specific fields mentioned by the act has created a situation which is one of the most fruitful sources of contention in American agricultural circles. Twenty-eight states have chosen to have a single institution, nineteen two separate and independent institutions, and in all forty-seven the battle has raged intermittently to change the status quo. This complication and the strong partisanship manifested by those who know one or the other type of institution was probably responsible, more than any other single factor, for the appointment of this commission. While the act of the legislature gives it a broad field of duties covering all of agricultural education, the specific problem which it was expected to study and report on was the advantages and disadvantages of the separate college of agriculture as against the college of agriculture which is an integral part of a great state university.

To better fit the commission to reach a judgment on this important matter the act directed that the commissioners should visit agricultural colleges and study their organization and accomplishments. In accordance with this direction a visit of from one to two days and a careful survey was made of each of the following: Oregon Agricultural College, Corvallis; Montana Agricultural College, Bozeman; University of Minnesota, Minneapolis; University of Wisconsin, Madison; University of Illinois, Urbana; Purdue University, Lafayette, Indiana; Iowa State College, Ames; Ontario, Agricultural College, Guelph, Canada; Cornell University, Ithaca, New York; Massachusetts Agricultural College, Amherst. These particular institutions were chosen for a variety of reasons, but chiefly to give a wide range of types from which fairly general conclusions might be drawn. Oregon Agricultural College is separate from the State University of Oregon, but is more a "vocational university" than a purely agricultural college, including as it does commerce, engineering, mining, home economics, pharmacy, and music. Montana Agricultural College is an example of a college separated geographically but united administratively with a university, the University of Montana being a paper university with colleges situated at Missoula, Butte, Bozeman, and Dillon, all under a sort of super-president who is known as a chancellor. The University of Minnesota exhibits a Siamese twin relationship between the agricultural college and the other parts of the institution. The campus of the college is thirteen minutes by street car from the campus of the university proper, and there is a rather definite administrative demarcation between the two institutions, although they are under the same president and regents. Another factor which interested us in Minnesota was that the agricultural college is there the head of the system of special agricultural education for the state, directing the vocational farm schools in various localities as well as a farm school on the college campus. The University of Wisconsin is probably the finest example of a state institution including a college of agriculture administratively, geographically, and spiritually welded into the whole as an integral part. Moreover the agricultural work of the University of Wisconsin has been so conspicuously successful that no survey could be considered in any way complete which did not include it. Purdue University is properly the college of applied science of the State of Indiana, including schools of agriculture, engineering, science, and home economics. The other types

of university work are at the University of Indiana at Bloomington, from which Purdue is entirely separate. The University of Illinois, which includes a college of agriculture on its campus and directly under its control, is one of the very large state universities whose problem of numbers is similar to that of California. Iowa State College at Ames is a separate institution of agriculture and the mechanic arts whose praises have been sung in farmer circles all over the country and particularly in our own State. Ontario Agricultural College, at Guelph, Canada, is a vocational school whose graduates receive their degrees through the University of Toronto, with which, however, it does not seem to have any other connection. It was thought to be of interest as a well known and reasonably successful school developed under different traditions and environment from the colleges of the United States. Cornell University is a private endowed institution to which the State of New York has entrusted in major part its educational function in agriculture and veterinary science. The college of agriculture is an integral part of the university in every way except that its property, buildings and equipment are kept legally apart although on one campus. The control of both college and university is in one board of trustees and its direction in the president of the university. This is the only example in the United States of a combination of agricultural education with an endowed institution for the advancement of general culture. Massachusetts Agricultural College is probably the only collegiate institution in America confining its instruction practically to agriculture alone, excluding the so-called mechanic arts. It is neither part of a university nor is it conducting a university under another name. In addition to the colleges and universities listed above, the commission held conferences while in the east with President Butterick, of the General Education Board, President Pritchett, of the Carnegie Foundation, and Dr. A. C. True, Director of the States Relations Service of the United States Department of Agriculture.

At each institution the commission followed the outline set forth below in its quest for information. It was not possible at every institution to develop all the points covered by this outline, but the following interesting data was discovered by conference with the faculty, administrative officers, students, and successful farmers of the state:

1. Composition of Governing Board.
 - (a) Number.
 - (b) How appointed.
 - (c) Relations to college of agriculture.
 1. Are they or any part of them actively interested in the problems and management of the college?
 - (d) Do they receive compensation and if so, how much?
 - (e) Occupations; if retired, former occupations.
2. Facilities and physical equipment.
 - (a) Amount of farming land and location of college with reference to it.
 - (b) Have you any lands at a distance from the campus, used for regular class instruction?
 - (c) How many dairy cattle?
stock cattle?
sheep?
swine?
horses?
poultry?
other stock?
 - (d) Number of buildings and character of same.
 - (e) What is the total annual appropriation for maintenance of the college of agriculture?
 - (f) In your opinion, can a first class agricultural college be maintained without plenty of stock for practical demonstration without plenty of land?
3. Student body.
 - (a) Number of university students.
 - (b) Number of agricultural degree students.
 - (c) What percentage of the high school graduates of the state enter your college?
 - (d) What percentage of your students come from the farm?
 - (e) What percentage go to other agricultural institutions in the state? Outside the state?
 - (f) What was the number of your agricultural graduates in 1921?
 - (g) Graduate students in 1921?
 - (h) What percentage of your graduates take up farming?
 - (i) What percentage become agricultural experts and leaders?
 - (j) What percentage of your students work to pay part or all of their expenses?
 - (k) What percentage of your graduates have financial backing to start farming after graduation?
 - (l) Can you suggest the names of some of your graduates in the vicinity who may be interviewed?

4. Faculty and Administration.

(a) Organization of faculty.

(1) Is this established by law?

(b) Administrative organization of college of agriculture.

(1) Powers and duties of deans and other administrative officers.

(c) Relation of college of agriculture to other colleges.

(1) Is it under a separate faculty?

(2) What degree of autonomy has it?

(3) What power has general faculty body over the affairs of the college?

(d) What relations govern the activities of professors or instructors with regard to teaching, research and outside activities?

(e) What are the minimum, maximum and average salaries paid in different faculty grades?

(1) Are they the same as in other departments of the university?

(f) Is there any distinction made between members of the college of agriculture, the agricultural extension service, and the experiment station?

5. Curriculum and Standards.

(a) What are your standards of admission?

(1) Do you admit freely and select later, or do you attempt to make selection before entrance?

(2) Do you admit special students who are deficient in matriculation requirements and permit them to remedy deficiencies during their college course?

(b) What are your major divisions?

(1) What is included under each of those heads?

(c) To what extent is your instruction practical in each division?

(d) What courses not given in the agricultural college are required of agricultural students and what courses are elected by large numbers of such students?

(e) Are any farm schools (schools for vocational or non-degree students) maintained in connection with the college?

(1) Where are they located?

(2) Are they under the direction of the college faculty?

(3) Are the faculties of the college and the farm school separate?

(4) Number of students.

(5) Length of course.

(6) What is the type of training given farm school students?

(7) Are the courses in these schools intended for students between the ages of fourteen and eighteen, or are they intended for students who have reached the college age, but do not have the requirements for admission to college?

(8) Are the courses preparatory to college courses or entirely vocational?

a. If college preparatory, are they accepted at par in transferring from farm school to the college?

(f) Are there any junior colleges in your state giving instruction in agriculture?

(1) What farm land is available to each of these colleges?

(2) How much live stock?

(3) What building and laboratory facilities?

(g) Extension service.

(1) Organization.

(2) Staff.

(3) Cost.

(4) What proportion of this money is spent in field—in office?

(5) How much public service, such as organizing farmers, et cetera?

(6) Do members of the staff engaged in the extension work have academic titles and status?

(7) Do they have the same privileges as to vacations, sabbatical leaves and old age pensions as other members of the faculty?

(h) What short courses in agriculture are given in your institution?

(1) What is the length of each?

(2) What was the attendance in 1921?

(i) To what extent does the college of agriculture include in its curriculum mechanic arts, home economics and allied courses?

(j) What is your policy with reference to research work and experimental stations?

(1) Do you undertake fundamental or specific problems?

(2) Is your work scattered in various localities throughout the state or centralized?

(3) Is the work of the experiment station organized on a project basis and if so, is money allotted to the project or to divisions and are reports required at regular intervals?

(k) What is the character of your instruction and research in business and social problems of agriculture?

(1) Courses in cooperation and marketing?

(2) Courses in farm credits.

(3) Courses in problems of land tenure and land settlement.

(l) What are your fundamental requirements for graduation?

Governing Boards.

The number of trustees varies from one at Guelph, where the Minister of Agriculture for the Province of Ontario stands alone between the college and the legislature, to forty-one at Cornell. Very generally appointments are made by the governor, the most notable exception being Illinois, where of the eleven trustees two are ex officio and the remaining nine elected by the people. At Cornell, which combines a state college with an endowed university, the Governor of New York appoints five of the trustees, seven are ex officio, two are elected by the trustees, two are chosen by the alumni, one is the oldest living descendant of Ezra Cornell, and many other groups are represented. At Purdue three of the nine trustees are named by the alumni and six are appointed by the governor in accordance with a law which provides that two must represent agriculture, two industry, and two the general public.

Almost universally the trustees are keenly interested in the progress and success of the college, but leave to the faculty and administration the direction and conduct of its affairs. Even where the board is elaborately organized with councils or committees to deal with special matters, the business of these divisions is limited to aiding the dean of the college on matters of policy which he brings before them and does not extend to interference in the development and activities of the institution. At Purdue University and Iowa State College the trustees receive a small per diem, but in all other cases they are allowed only traveling expenses, and seldom collect these.

The occupations of the board members of the various institutions visited were most interesting, the unexpected fact being developed that in no case does a majority of the board consist of farmers or representatives of agriculture. For instance, such strongly agricultural institutions as Iowa State College at Ames and the University of Wisconsin have but one farmer on their boards. Moreover, at Ames the active management of the institution so far as the trustees are concerned rests with the finance committee of the board which consists of two newspapermen and a school man. Nor was the absence of strong numerical agricultural representation found objectionable in this or any other case. The general opinion was expressed by President Kerr of Oregon Agricultural College, who said, "The efficiency of a board of regents depends on the character of the men, not on their occupations. We have had farmers on our board who have been entirely unsatisfactory to the college, and men in other occupations who have earnestly promoted its best interests." Every institution visited and every person with whom the commission consulted stressed the importance of long terms and consequent freedom from political interference if a board of trustees was to be even measurably successful.

The following table exhibits in brief certain of the facts with reference to the membership of the managing boards of the institutions visited:

	No. of trustees or regents	No. of farmers on board	No. of ex-officio members	No. ap- pointed by governor	Remarks
Oregon Agricultural College -----	13	3	4	9	Appointed with approval of State Senate
Montana Agricultural College -----	11	--	--	--	
University of Minnesota----	12	1	3	9	
University of Wisconsin----	13	1	2	11	1 from each congressional district, 2 from State at large
University of Illinois-----	11	1	2	0	Regents elected
Purdue University-----	9	2	0	6	3 appointed by alumni
Iowa State College-----	9	1	0	9	
Ontario Agricultural College -----	1	1	1	0	
Cornell University-----	41	0	0	5	
Massachusetts Agricultural College -----	18	0	4	14	
University of California----	24	3	8	10	2 appointed every other year, term, 16 years

Facilities and Physical Equipment.

The land holdings, physical equipment, stock, and buildings naturally varied greatly in the institutions visited, both on account of the differences in State wealth and the emphasis placed by the administration on one phase or another of agricultural education. But these variations were as nothing to the widely differing opinions expressed by educators of standing as to the amount of these things, particularly land, necessary

for a successful college—one of the points in which the commission was most vitally interested. One extreme was represented by former Dean L. H. Bailey of Cornell, who has made a study of the College of Agriculture of the University of California and who advised the commission that with 100 acres for demonstration and instructional purposes at Berkeley, the University of California could equal any institution in the country and surpass any separate agricultural college. The other extreme is probably best represented by Iowa State College, which with 1500 acres of tillable land believes that its work could be put on a much higher plane if it had twice that amount, some of which would undoubtedly be used for raising crops and feed that could well be purchased. Most persons consulted seemed to be of the opinion that with about 200 acres, satisfactory work could be done.

Oregon Agricultural College now has about 300 acres of farm land of fair quality, adjacent to Corvallis, and opinion is strongly in favor of the acquisition of 1500 acres additional; not necessarily immediately connected with the campus. Certain areas are even now used for instructional purposes which are two miles from the college. On these lands the college maintains 150 head of dairy cattle, 51 head of stock, 195 head of sheep, 154 swine, 37 horses, 750 laying hens, 820 breeding hens, 3000 young poultry, and 15 head of angora goats.

The University of Minnesota has 422½ acres of farming land as part of its agricultural campus, which, with the buildings and equipment located thereon, is valued at \$2,500,000. Purdue University has about 700 acres of land within an hour's ride of the campus used for instructional purposes and also has 400 acres for experimental work. Of this 385 acres are allotted to animal husbandry, 280 acres to agronomy, 10 acres to horticulture, and 17 acres to poultry husbandry. The University of Wisconsin has 746 acres of tillable land on the campus and within a half hour's ride. The University of Illinois is located in the heart of the corn belt, and has almost a thousand acres available for instruction and research.

Iowa State College has a very complete physical equipment. In all, it owns over 1400 acres of land, of which 125 acres are in the campus proper, and the remainder in experiment station farms, orchards, gardens, and a forestry tract. Some forty buildings stand on the campus, including a remarkably fine animal husbandry laboratory which provides complete facilities for the killing, cutting, and curing of meats as conducted on the farm. There is a dairy herd of 100 pure-bred animals, and similar high quality representation of horses, sheep, beef cattle, swine, and poultry. The investment of the state in the college is approximately \$4,000,000.

Cornell University has 1200 acres of land in a poor farming section, a good deal of which is not tillable, and only 200 acres of which are used for instructional purposes. Massachusetts Agricultural College is situated on about 600 acres of poor farm land and has a demonstration forest of 1765 acres, six miles away. Of the educational experts who were interviewed in New York, Dr. Butterick of the General Education Board was of the opinion that 200 acres should be ample for instructional purposes at any agricultural college.

The University of California has its headquarters at Berkeley, where three acres of tillable land and 100 acres of pasturage are now available. Here are located the laboratories of agronomy, citriculture, entomology, forestry, fruit products, genetics, landscape gardening, plant nutrition, pomology, nutrition, plant pathology, and soil technology. The headquarters of agricultural education, agronomy, citriculture, entomology, forestry, farm management, genetics, landscape gardening, nutrition, plant nutrition, plant pathology, pomology, rural institutions, soil technology, veterinary science, and viticulture, are also at Berkeley.

At Davis, 45 miles from Berkeley, is the university farm of almost 1100 acres; 780 acres owned by the University and 300 acres under lease. Here are numerous buildings for the various phases of agriculture and horticulture, two stock judging pavilions, agricultural engineering shops, a gymnasium, dormitories, and a dining hall, as well as barns and sheds for horses, dairy and beef cattle, sheep, milk goats, swine, and poultry. The more important breeds of the various classes of farm animals are present for use in class work. A large well-equipped poultry farm is stocked with several thousand fowl of a number of leading varieties. There are over 150 acres of orchards and vineyards on the farm and ample areas for growing vegetables and field crops. The farm has a modern system of irrigation, being under both a pump and gravity system. The headquarters of the following divisions are at Davis: agricultural engineering, animal husbandry, dairy industry, irrigation practice, olericulture, and poultry husbandry. In addition, the divisions of agricultural education, agronomy, entomology, genetics, pomology, rural institutions, soil technology, viticulture, and fruit products offer courses.

The Graduate School of Tropical Agriculture and Citrus Experiment Station is located on 477 acres near Riverside, in the center of the citrus region. Ample laboratory facilities are available, and the station is convenient to all the tropical and subtropical fruit industries.

Faculty and Administration.

During the past few years certain unfortunate differences have developed at the University of California between the College of Agriculture and the Academic Senate

of the University, which is a legislative body consisting of all persons of the rank of instructor or above engaged in resident instruction. This body since 1920 has tended to take on administrative as well as legislative functions, has excluded from its membership a portion of the faculty of the College of Agriculture on the ground that they were not engaged in resident instruction, and has set up as the basis for selection and advancement of persons in academic life the Doctor of Philosophy degree, or its equivalent. Because of these and similar happenings and the friction caused by them, the College of Agriculture has come to look upon the Academic Senate as an unfriendly body whose continued power in its present form will be prejudicial, not only to the aims and purposes, but to the very existence of the college. One part of the commission's investigation was to determine the freedom of the College of Agriculture at the University of California as compared with similar colleges elsewhere, both in and out of universities.

At Oregon Agricultural College the president has great power and is the center of faculty organization. There is an academic council consisting of all deans and heads of departments which exercises certain functions in connection with the curriculum of agriculture as well as the other branches of the institution, but since the members of this council are all appointed by the president, have the powers which he gives them, and serve at his pleasure, it is obvious that the body is purely advisory. No distinction is made between the members of the college of agriculture, the experiment station, and the extension service, except that farm advisors or county agents in the latter service are not given academic status, titles, or privileges. Faculty members at Corvallis generally carry on both instruction and research. They are not allowed to accept compensation for outside work.

The College of Agriculture at the University of Minnesota consists of:

1. The college proper,
2. Farm schools throughout the state,
3. Short courses,
4. Extension service,
5. Experiment station.

This group is administered by the dean of the College of Agriculture who reports directly to the president of the university, who has an absolute veto on his recommendations. The faculties of other colleges of the university have not authority in connection with the College of Agriculture except where courses in those colleges constitute part of the agricultural curriculum. This statement does not apply to the graduate school which is divided into seven groups, not colleges, one of which is agriculture. The faculty of the graduate school is elected by the whole faculty of the university and this applies to the agricultural group as well as all others. The members of the agricultural faculty expressed themselves as heartily in favor of this arrangement, believing that a degree given under such conditions represents more than if the requirements were determined by the agricultural faculty alone. No distinction is made at Minnesota between men engaged in research, extension, and resident instruction, except that county agents are not given any academic privileges.

The Montana State College is a small institution and has had no problems of faculty coordination. The representatives of the departments of agriculture, engineering, chemistry, and home economics all play a part with the president and chancellor in shaping the curriculum and activities of the institution. All members of the faculty are free to accept compensation for outside activities, but men in agriculture have never done so. All members of the staff above the rank of instructor get sabbatical leave and other academic privileges. County agents have the rank of instructor and can not go higher in the academic scale.

At the University of Wisconsin the faculty of the College of Agriculture is an integral part of the university faculty, "not only physically, but spiritually and intellectually." There is team work in every phase of the activities of the university and college and particularly in research, where Dean Russell spoke of the tremendous advantage of the cooperation of other academic departments. The general faculty body in which all members of the staff of the College of Agriculture of appropriate rank may sit, must ratify all courses and requirements in agriculture. All members of the faculty are employed on a basis of nine months' service, may accept outside work for pay, and receive a sabbatical year under certain conditions. No distinction is made between men in instruction, research, or extension in any of these regards except that county agents are not included. The university believes that it is advantageous for men to engage in all three of these activities and that no one of them may be set above or below the others.

At the University of Illinois there is an academic senate consisting of all persons of full professorial rank and all heads of departments. This body has power over the College of Agriculture as to educational policy and must approve all new courses, curricula, and departments. It has no part in the appointment or advancement of professors or in the determination of budgets, all of which are taken up directly by the deans with the president. Employment is on a twelve months' basis in all col-

leges, but agricultural men actually work eleven months as against ten months in in other departments, getting proportionately larger salaries. Faculty members may accept outside work for pay and do so to a limited extent. No distinction is made between instruction, research, or extension; all being regarded as mere phases of the broad work of the college. County agents have no academic rank and are not considered as part of the agricultural college organization.

The College of Agriculture at Purdue University consists of seven departments—agronomy, animal husbandry, dairying, farm management and rural economics, horticulture, poultry and farm mechanics. There are four deans: of science, agriculture, engineering and women. An executive committee consisting of these deans and the heads of the various departments meets frequently to consider matters of policy and routine. The faculty consisting of all teachers above the rank of instructor, meets monthly to discuss and determine policy on matters connected with curriculum and degrees. Promotion and salary is determined by the president on recommendation of the heads of departments meeting together. Men in all departments, except agriculture, are permitted to accept outside work, the theory being that members of the agriculture faculty are paid for full time. This is only a theory. Instruction, extension and research are separate at Purdue, responsibility in each case being to the appropriate subject-matter department. Members of the experiment station staff and extension service are not given professional titles and have no part in faculty meetings or legislation. Members of the faculty engaged in teaching are expected to make rural contacts during the summer.

Iowa State College includes agriculture, engineering, home economics, veterinary medicine, industrial science. There is also a graduate school under a separate dean. Each division has its own faculty. There is also a general college faculty to which matters come up through the division faculties. This general faculty takes final action in all matters of course, curricula, and degrees. The deans form an administrative board which meets once a week. Division faculties and general faculty meet once a month. All members of the staff except county agents, whether engaged in teaching, research, or extension, are eligible for membership in their appropriate faculties. Some faculty members are on a nine months' and some on a twelve months' basis, all high positions in agriculture being on the latter. Salaries are adjusted to meet the conditions of employment and outside work for pay is permitted.

The three departments at Ontario Agricultural College are technical agriculture, the science of agriculture, and home economics. Each of these has a head who has no particular title. The faculty is organized into committees which decide on the courses to be given. The recommendations of the faculty are then submitted to the Minister of Agriculture of the province and to the University of Toronto. The university takes considerable interest in the work of the third and fourth years. It is illegal for faculty men to accept outside work. All members of the faculty are on an equal basis, no matter what activity they may be engaged in. County agents are not connected with the college but are directly under the Minister of Agriculture.

The faculty organization at Cornell is established by university statute. Each college has a separate faculty to which all members of the staff are eligible. These separate faculties join to make the general faculty, in which, however, instructors do not sit. The general university faculty has no power over the agricultural college faculty except by recommendations to the board of trustees. It is recognized, however, that the general faculty should have final jurisdiction in all matters affecting the university as a whole. In the opinion of Dean Mann, the right of the general faculty to consider and even veto agricultural college recommendations is of great value, since it insures serious and careful consideration of all important matters. Extension men have no part either in the college or university faculty, except for those who had seats four years ago when the present rule was made. All persons engaged in teaching or research (including men in the extension division) are members of the faculty. All members of the staff are on a nine months' basis and the rules provide that all time necessary for full performance of university duties must be given, but beyond this the faculty man is free to accept employment. The administrative organization of the college consists of a dean and director, a vice director of research, a vice dean of instruction, and a vice director of extension.

The Massachusetts Agricultural College, being exclusively devoted to agriculture, has no problem of faculty relations, the five divisions of horticulture, agriculture, science, rural social science, and the humanities all coming directly under the president. Teaching, research, extension, and short course work are not watertight compartments, the five divisions cutting across all of them. Members of the faculty are divided into three classes with reference to outside work for pay: (1) extension men who must give full time to the university, (2) men occasionally doing extension work, who may accept a minimum of outside employment, (3) men who infrequently give extension lectures, who are encouraged to do casual work for pay.

At the University of California by the standing orders of the regents, the Academic Senate consists of the president, deans, directors, recorder, librarian and all professors and instructors giving instruction in any curriculum under the control of

the Academic Senate; but instructors of less than two years' service are not entitled to vote. The senate determines its own membership under this rule, and, subject to the approval of the regents, determines the conditions for admission, for certificates, and for degrees. It authorizes and supervises all courses of instruction in the academic and professional colleges and schools. It recommends to the regents all candidates for degrees in course. It is authorized to select a committee to advise with the president concerning the budget and a committee to confer with the regents on any matter affecting the welfare of the University.

The faculties of the various colleges and professional schools have such powers as may be delegated to them by the Academic Senate, but no change in the curriculum of a college or professional school can be made by the Academic Senate until such change has been submitted to the formal consideration of the faculty concerned. The Council of Agriculture which conducts the government of the College of Agriculture consists of:

1. The president of the University.
2. All members of the Department of Agriculture who are voting members of the Academic Senate.
3. One representative of each of the departments of the university giving required courses of instruction in the College of Agriculture, such representatives to be nominated by the departments concerned.

The last list of members of the Academic Senate, published in October, 1920, includes 793 persons of whom 159 gave instruction in the various fields of agriculture.

The general situation would seem to be that a large measure of autonomy is granted the college of agriculture, or the agriculture department, in practically every institution, only such regulation and supervision being maintained as will insure unity in matters of general policy. On the other hand, the stronger colleges welcome a consideration of their faculty qualifications, courses of study, and requirements for graduation, by some general faculty body. The situation at California for the past two years would seem to indicate that the institution is going through a similar experience to that which, from time to time, has marred the relations of the College of Agriculture with other colleges or universities throughout the country, and which may be expected soon to subside, if it has not already done so.

Student Enrollment.

The following table shows more clearly than any discussion could the situation with reference to enrollment in the agricultural colleges of the United States. There is very evidently no great horde of eager young people clamoring for an opportunity to work out their destinies on the soil. Everywhere enrollment is lower than one would expect it to be in consideration of the character of the states in which the colleges are located. The truth is that the Morrill Act came as a result of the ideas of one man, not in response to a great social need, and the supply of agricultural colleges has been greater than the educational demand ever since. Fortunately they have abundantly justified themselves in the influence they have exerted, but the disappointment of California at the comparatively small enrollment in its agricultural college is shared by every state which we visited, no matter what the type of institution in it. The more the commission studied this problem the more it was convinced that the problem of increasing enrollment in agricultural colleges and keeping boys on the farm is not to be solved by changes in curricula, equipment, or method, but by the betterment of the social and economic conditions of rural life. No plan which leaves this out of major consideration is going to succeed in keeping farmers' sons in great numbers on the farm or in attracting the sons of city dwellers to it. This is the great work of the college of agriculture today, and in it the University of California has no superior so far as we could find.

Enrollment Figures 1920-1921.

	Under-graduate students	Students in four-year agricultural course	Agricultural graduates	Graduate students in agriculture	Per cent agricultural graduates, farming	Per cent agricultural graduates in other agricultural fields
California	10,692	653	111	45	30	45
Oregon Agricultural College	5,170	541	96	15	40	39
Montana State College	607	131	16	0	30	33
University of Minnesota	7,437	947	55	90	--	--
University of Wisconsin	7,344	631	99	135	24	44
Purdue University	3,255	497	97	5	45	30
University of Illinois	8,250	1,135	176	54	30	65
Iowa State College	4,479	1,046	125	194	--	--
Cornell University	5,175	1,204	237	175	50	27
Massachusetts Agricultural College	546	485	95	48	30	50

Four-year agricultural course	1912-13	1913-14	1914-15	1915-16	1916-17	1917-18	1918-19
Arizona	53	38	48	62	58	31	37
California	---	576	619	637	608	385	390
Delaware	23	25	46	56	66	49	45
Florida	67	73	109	137	137	132	256
Idaho	54	70	78	78	83	63	116
Illinois	965	1,014	1,184	1,257	1,201	768	745
Iowa	1,081	941	958	1,005	973	135	761
Indiana	568	729	759	798	626	644	472
Kansas	407	331	585	615	598	380	390
Kentucky	123	170	202	198	183	98	111
Maryland	---	---	---	---	100	75	120
Minnesota	416	528	676	732	746	553	416
Missouri	820	906	968	819	618	556	325
Montana	45	52	65	82	88	59	41
Nevada	23	35	45	58	41	18	8
New Jersey	59	67	77	72	72	89	97
New York	1,264	1,464	1,672	1,725	1,574	1,097	926
Ohio	1,046	1,056	987	1,043	944	686	553
Oregon	---	---	---	---	---	---	---
Pennsylvania	628	707	767	757	769	529	388
Tennessee	145	191	214	196	148	100	117
Vermont	79	95	85	80	89	60	44
Virginia	---	---	---	---	---	---	---
Wisconsin	516	597	616	504	528	244	201

Four-year agricultural course				Number of farms	
				Number farms 1920	per four-year student
Arizona	1919-20	1920-21	1921-22	91	10,816
California	---	---	---	629	117,680
Delaware	---	---	---	31	10,128
Florida	---	---	---	243	54,006
Idaho	---	---	---	99	42,100
Illinois	---	---	---	947	237,153
Iowa	---	---	---	---	213,312
Indiana	---	---	---	497	205,124
Kansas	---	---	---	421	165,287
Kentucky	---	---	---	---	270,676
Maryland	---	---	---	174	47,908
Minnesota	---	---	---	870	178,588
Missouri	---	---	---	400	203,124
Montana	---	---	---	---	57,441
Nevada	---	---	---	30	3,164
New Jersey	---	---	---	110	29,672
New York	---	---	---	1,142	193,060
Ohio	---	---	---	961	256,699
Oregon	---	---	---	1,001	50,186
Pennsylvania	---	---	---	634	202,256
Tennessee	---	---	---	201	252,691
Vermont	---	---	---	66	29,072
Virginia	---	---	---	237	186,011
Wisconsin	---	---	---	369	189,196

Extension Service.

The agricultural extension service of the University of California exists to improve the farms and farm homes of California by demonstrating improved practices in agriculture and home economics. It carries to the farmers of the State the results of the research of the University. The service began in 1913, when the first farm adviser was installed in Humboldt County. The funds expended during 1921 were \$141,481 from federal sources through the Smith-Lever Act, \$224,548 from State appropriations, and \$147,800 from county appropriations. The organization of extension work in California is as follows:

(a) Farm advisers.

- 41 Farm advisers.
- 33 Assistant farm advisers.
- 3 Assistant State leaders.

(b) Home demonstration.

- 21 Home demonstration agents.
- 2 Assistant State leaders.
- 1 State leader.

- (c) Boys' and girls' agricultural clubs.
 - 10 District club leaders.
 - 3 County club leaders.
 - 3 Assistant State leaders.
- (d) Specialists.
 - 3 Home economics specialists.
 - 2 Poultry specialists.
 - 11 Specialists in dairying, citriculture, agricultural engineering, cooperative marketing, farm management, irrigation, walnut growing, pomology and illustrative materials respectively.
- (e) Public service.
 - 1 Director.
 - 4 Representatives.

The extension service works largely through farmers' organizations such as the farm bureau, but has been very careful to limit its activities in this connection to educational matters and to avoid anything verging on the political. This feature and its intensively developed activities are the chief differences between the University of California and Oregon Agricultural College. At the latter institution the extension service actively engages in the promotion and assists in the conduct of all the activities of the farmers, even when, as in the case of marketing organizations, these tend to be commercial. Both at California and Oregon the county agents do not have academic status or privileges and receive only two weeks' vacation.

In Minnesota the extension service is strong and active, 72 out of 79 counties having farm advisers. Despite this fact the director of the service complained that the ideas of the university were not being adequately disseminated among the farmers of the State. He advocated better training for agricultural specialists and better publicity. The publicity of the Minnesota division at the present time consists of monthly publications for county agents, a fortnightly for high schools, and a weekly newspaper for all who are interested. Each of these is put out in a form easy to read, not in six point type.

There are two distinctive features to the extension service at the University of Wisconsin. First, the director has no staff except for administration, the specialists being called from the various departments of the college. This is in accordance with the Wisconsin theory that there should be no separate staffs for instruction, research, and extension, but that economy and efficiency are both promoted by having men work in each of the three divisions as the need arises. Under this system the alfalfa specialist directs and himself carries on alfalfa research, teaches with reference to the product, directs the work of the county agents, and personally engages in extension work. Second, much of the results of agricultural experimentation at the University of Wisconsin is disseminated through the so-called Agricultural Experimental Association, with over six thousand members, an organization of the graduates of both the college and the farm school. Agronomy has been particularly aided by this arrangement, but sections of the association foster various lines of agricultural effort. The extension division at Wisconsin functions through all the farm organizations, not through the farm bureaus alone or primarily. There are 56 county agents in Wisconsin, none of whom has any academic connection.

At Purdue there is almost the reverse of the Wisconsin situation, instruction, research, and extension being separated and differentiated to the fullest degree possible, although the responsibility of each division is to its subject matter department. Also, only persons engaged in instruction get academic titles, and research and extension men generally do no teaching. Purdue is notable for the fact that it has 40 extension specialists, a larger number than any other institution. There are 86 county agents and 3 home demonstration agents, whose salaries and expenses are met jointly by the university, the state, county, and federal governments, and the farm bureaus. There is entire agreement among all these agencies that the extension service should undertake only educational effort; and should not work with farmers' organizations along commercial lines.

The county agents of Iowa are not selected by the agricultural college, and are not under its direction, but are the appointees of the county farm bureaus. They are paid by the farm bureau and the county, the college subsidizing the work from state and federal funds to the extent of not more than \$600 per year. As in most other states there is but one of these agents to a county. There are no home demonstration agents, Iowa being convinced that one county organizer is sufficient and that the field of the home demonstration agents can be adequately filled by home economic specialists. Extension specialists are responsible to their subject matter divisions for what they teach, and to the extension division for the disposition of their time and efforts. Frequent conferences are held between the specialists and their subject matter divisions, and an attempt is made to get the results of discovery into the field as promptly as possible. There are 100 county agents in Iowa, one for each county.

At Cornell the extension division in addition to the usual lines of work, undertakes the development of rural dramatics, music, athletics, etc., and has been very successful in this field. Otherwise the Cornell system is very similar to that in California, which was organized under a Cornell man. Extension specialists report to the subject mat-

ter departments, of whose staff they are members. County agents have no academic status and take only an educational part in farmers' organizations, being barred from holding office. Despite this careful attitude, Cornell has suffered heavily in the legislature for its aid to farmer movements.

Extension work in Massachusetts has not been highly developed, the funds received under the Smith-Lever Act being very small because of the high ratio of urban population. What county agents there are, are employed by the counties, although they look to the college for direction in practically all their activities.

As a result of our observations it would seem that the agricultural extension service of the University of California is not surpassed by any other, but that colleges of agriculture are less successful in getting their results into the hands of the farmers than in their other activities. This was due formerly to the fact that practically the only agency of dissemination was bulletins, which are still very largely relied upon. These accomplish in very limited degree the end sought, farmers having shown a decided preference for personal instruction. The results of lectures at farmers' gatherings, short courses, and farm adviser activities are greater, yet there is still much to be done, for the fact remains that after over forty years of well-supported activity the colleges have not been able in large measure to check the waste of the resources of the soil. More and better farm advisers are needed, and more, and more, and more publicity to all the manifold activities and accomplishments of the college and the university.

Curricula and Standards.

The first indication of high standard in any institution is the qualifications which it demands of those who wish to matriculate. The next evidence is the content of the courses which it gives, the quality of the men who teach, and the quantity of work required for graduation. In this section of the report an attempt is made to compare the institutions visited by the commission on this basis.

The University of California admits any graduate of a California high school who is recommended by his principal. The only other method of entry is by examination. No specific subjects are required but each college suggests certain groupings which will facilitate the student's work. For instance, the College of Agriculture recommends the completion in high school of four years each of English and mathematics, and one year each of physics, chemistry, history, and geometrical drawing. There is no difference between the admission standards of the College of Agriculture and other parts of the university.

Students may matriculate in Oregon Agricultural College on presentation of a certificate of graduation from high school with fifteen units of work, which must include three units of English, one unit of algebra, one unit of geometry, and five units chosen from English, mathematics, foreign language, laboratory science, and history. These requirements are not enforced with absolute rigidity, students being admitted with less than the minimum number and kind of units, or even in some cases without high school graduation. Purdue University has practically the same entrance requirements as Oregon, but is strongly opposed to the admission of students who are not fully prepared, experience having demonstrated that most of these do not get through the first year.

Students are admitted to the College of Agriculture of the University of Illinois upon examination, or on graduation from an accredited high school with fifteen units of work, including three units of English, two units of science, and one unit each of algebra and geometry. In case these requirements are not satisfied, ten units may be offered from an accredited high school and five units secured through examination.

At the University of Minnesota admission is by certificate or examination. Certified candidates must have completed the equivalent of a four-year high school course and must present:

1. Four units of English or three units of English and one unit of a foreign language.
2. One unit of elementary algebra and one unit of plane geometry.
3. Enough additional work to total fifteen units.

Every prospective student is examined on his familiarity with farm practice, and farm experience is required during the college course in accordance with the results of this examination.

Matriculants at Cornell must be graduates of a high school and must present fifteen units of credit including three each in English and a foreign language, two in mathematics and one in history. The university prides itself on its high standards and has not for years admitted a student with less than the minimum, except in the case of a very few mature special students with unusual experience qualifications. Statistics as to student records indicate the wisdom of this policy, for inadequately prepared students are shown in a large majority of cases to have failed to profit by their courses.

The College of Agriculture at the University of Wisconsin admits students on the presentation of a certificate from the principal of an accredited high school showing graduation, and satisfactory completion of fifteen required units, including three units of English, two units of foreign language, science or history, and one unit each

of algebra and geometry. Graduates of non-accredited high schools are admitted under the same conditions on probation.

At Massachusetts Agricultural College admission is obtained on examination or graduation from a high school approved by the New England College Entrance Board. Every candidate must present or pass examinations in fourteen units of work, three of which are in English, two in a foreign language, one and one-half in algebra, and one in geometry, but some are admitted on probation with two units of deficiency.

From this summary and the table on page___, it will be seen that the admission requirements of the University of California are more strict than those of any other institution, except possibly Wisconsin, and even in this case the possibility of probation offers an opportunity for flexibility which does not exist in the California system. This situation can not be ignored in considering why certain California boys and girls seek their education in neighboring states. The commission found practical unanimity of opinion throughout the country in favor of high standards of admission, and the history of the past few years shows that the undignified scramble for students which characterized so many land grant colleges in the past has largely ceased and all are working toward a minimum standard of high school graduation and certain specific preparation. On the other hand, the recommendation of the principal is not considered elsewhere as a necessary or valuable factor in the selection of matriculants.

The requirements for the bachelor's degrees in the University of California are:

1. Four years of residence.
2. A summer course of six weeks in special work connected with the major subject, or three months of practical work under certain conditions.
3. One hundred and thirty units of study including

High school or university work:

English	twelve units
Mathematics	twelve units
Physics	three units
History or economics	nine units
Mechanical drawing	two units

University work:

Botany	four units
Chemistry	ten units
Geology	three units
Hygiene	one unit
Military science	six units
Physical education	two units
Zoology	five units
Agricultural chemistry, bacteriology, genetics, or soil technology	eight or nine units

4. Thirty-six units in the upper division (third and fourth years) of which 26 must be in agriculture.

In addition to these general requirements there are specific requirements in the various majors amounting to from 26 to 30 units during the four years.

The graduation requirements of the other institutions visited are not discussed in detail, since they are in general similar to those of the University of California, but an attempt is made to touch upon what notable or interesting differences are characteristic of particular colleges. For instance the typical difference between California and Oregon Agricultural College is the greater number of optional courses in the former institution (or to put it another way the great amount of required agricultural work at Oregon) and the wider range of majors—a point which will be discussed further.

Iowa State College permits no elective courses in the first year and very few thereafter. Each student before graduation must complete six months of practical work on a farm or at the university, preferably the former. This is without credit value, but by doing additional work on a farm, which need not be under the direction of a professor, he may secure a limited amount of credit toward graduation.

The University of Illinois is notable for the large number of electives in its agricultural course, particularly in the upper two years. The theory of the college is that the graduate in agriculture should have a broad foundation on which to build his technical success. At Purdue all students take the same course for the first two years. This course is designed to give the student a general view of the whole field of agriculture and to enable him to choose his specialty for the last two years wisely. In the junior and senior years two subjects (history and economics) and a group of electives are required of all students.

At the University of Minnesota there is a rather free system of electives both in and out of the college of agriculture, and in addition 50 per cent of the prescribed work of the freshman year and 25 per cent of the prescribed work of the sophomore year is in courses not given in the agricultural college. This is somewhat characteristic of the University of Wisconsin also, where of the 133 units required for graduation

tion in agriculture, 35 are in the college of letters and science. Moreover, the average agriculture student in this institution takes in addition to these 35 required units 16½ elective units in colleges other than his own. In 1921, 167 agricultural seniors elected 20 units in English, 92 in economics, 16 in education, 73 in history, 96 in public speaking, 74 in psychology, etc. President Birge stressed the economy of this arrangement and the fact that under it all the money appropriated for agriculture can be used exclusively for that purpose.

Cornell University has 19 or 20 departmental units in its college of agriculture in any one of which a student may specialize, but outside of this rather wide field there are very few electives and not more than 20 of these can be taken in other colleges of the university. Every student, on the other hand, must have the following courses which are not given in the agricultural college: English, physics, chemistry, economics, animal or human physiology. Geology is also required of certain students and taken by many. In order to graduate from the New York State College of Agriculture at Cornell University every student except those in botany and landscape art must pass an examination in actual farm practice, based on at least one year's work done on a farm outside of the college year and reported on by the student and the farmer who employs him.

The following summary of the more important requirements of the various institutions visited and a comparison of the average with the University of California may be interesting:

	University of California	Average of other universities
Chemistry -----	10	11.2
Botany -----	6	5.5
Mathematics -----	10.5	8.5
English -----	15	12
Economics and history -----	9	5.7
Zoology -----	5	4
Agronomy -----	0	3.2
Animal husbandry -----	0	4.3
Agricultural engineering -----	0	2
Horticulture -----	0	2.5
Dairying -----	0	2.5

This would indicate that the University of California follows very closely the average of the other institutions except in the case of the standard underlying agricultural subjects. Of course, most students do take some or all of these, but the fact remains that a man may graduate from the college of agriculture of the University of California without having taken any course which was definitely agricultural. Considering the fact that every agricultural graduate is expected to have some vision of the scope of agriculture, and country life, and some possibility of eventually becoming a farmer, this would seem to be an undesirable situation—a conclusion which is confirmed by the program and curriculum of every institution which we visited.

The best way to obtain an idea of the curricula of the various agricultural colleges is probably to investigate the opportunities which they offer for specialization, or in other words, the scope and strength of their majors. From the point of view of variety the University of California covers a wider range of subjects than any institution in the United States. For instance it is the only institution offering majors in viticulture and viticulture, and only Oregon and California give courses in fruit products. The pomology major, while given generally, does not seem to be nearly as highly developed elsewhere as at the University of California. Forestry and agricultural science have also been developed admirably here.

Conversely, there are several weak spots in our system of majors, particularly in animal husbandry, agricultural economics, and perhaps agronomy. In animal husbandry, the number and type of courses is restricted. For instance, no courses in meat and meat products are given, production courses are limited, and live stock marketing is lacking. In agricultural economics very few courses are given considering that California is probably the foremost State in cooperative marketing organizations. The absence of courses in the marketing of the various agricultural products, fruit, live stock, etc., which are given generally elsewhere, is very noticeable. In agronomy a similar situation exists. California is a great state agronomically and yet comparatively few courses are given in this basic subject. Their weaknesses are of course largely due to the physical difficulties of the present situation and can be corrected in a large measure at least by the new division of work between Berkeley and Davis, and by the acquisition of land at Berkeley, a matter which the commission regards as imperative and which will be touched on later in this report.

Summing up the matter of curricula the University of California offers a greater variety of work than any of the other institutions visited and on the average offers as good or better courses except in the animal husbandry and agronomy groups. In the make-up of its curriculum also, this college of agriculture is probably in advance of most institutions. Certainly it compares almost exactly with Cornell and Wisconsin, the high standing of which is universally recognized.

The unique feature of the curriculum of the University of California is that the entering student may register either at Berkeley or Davis, and may take part of his work in both places. The course has been so arranged that students entering Davis will take either their junior or senior years at Berkeley, or both, and those entering Berkeley may take part of their work at Davis some time during the four years' attendance.

Short Courses.

At every institution visited one or more short courses are given. These vary in length from two weeks to one year and are generally successful. Oregon Agricultural College reported the following courses at which the attendance thus far has not been large:

Fruit growing and vegetable gardening	2 weeks
Grain grading	2 weeks
Beekeeping	4 weeks
Dairy manufacturing	8 weeks
Tractor mechanics	11 weeks
Dairy herdsmen	6 months
General agriculture	1 year
Horticulture	1 year

At Minnesota various short courses are offered at which the attendance has grown from 147 in 1901 to 2015 in 1921. Dean Coffey stressed the fact that such courses must furnish not only instruction, but entertainment if they are to be successful and that farmers attending them must be made to feel at home in the university atmosphere. At Montana State College there is a "School of Agriculture" which continues for six months during the college year for a period of three years, and a farmers' week. The former has an attendance of 126, the latter of 204. The University of Wisconsin has well-attended courses in dairying and tractor mechanics twelve weeks in length, and a notable winter course in general agriculture for fifteen weeks each year for two years. This latter course meets a very real need in the educational system of the state and last year had 252 students. At Purdue University short courses ten days in length were given in tractor work, poultry, dairy field work. A four-day short course is given for farmers. Courses in general agriculture, animal husbandry, dairy products, dairy manufacturing, and home economics, are also given, which are eight weeks in length. Cornell offers twelve-week courses in agriculture, dairy industry, poultry husbandry, fruit growing, flower growing, and vegetable gardening. The attendance at these courses in 1921 totalled 329. At Massachusetts Agricultural College a winter school of ten weeks has an attendance of 83, and a summer school of four weeks an attendance of 223. There is also a two weeks' school for country clergymen, which had an attendance of nineteen.

The University of California offers short courses both at Davis and Berkeley. The Berkeley courses of a few days each include fruit products, nutrition, land colonization and settlement, rural sanitation, economics, entomology, deciduous fruits, commercial manufacture of fruit products, and beekeeping. At Davis five courses of about one week each are offered in beef cattle, hogs, horses, dairy cattle, and sheep. Longer courses are given in poultry husbandry, deciduous fruits, and dairy manufactures. An eight weeks' course in forestry is given during the winter for men employed as guards or rangers in the United States Forest Service and the United States National Park Service. A demonstration school on tractors is another feature of the California program.

The short course is an effective ally of the Smith-Hughes high school and the special farm school in spreading broadcast some of the elements of farming. It helps to teach men and older boys the new farming which is at once a science, an art, and a business. It makes them factors in the conservation of resources. It is an agency for the betterment of the social and economic conditions of rural life. It should be fostered by the agricultural college, for it meets a need the regular course of the college can never fill and stabilizes conditions in the industry which the college serves.

Research Work and Experiment Stations.

The agricultural research and experimental work of the University of California has always been conducted on the theory that the varied conditions in California can not be understood or served by confining the experimental work entirely to Berkeley or to any other one locality. The field of experimentation has been as broad as the State and research has been carried on wherever conditions seemed most favorable. Centers of experiment station activity are now located at Berkeley, Davis, Mountain View, Meloland in the Imperial Valley, Kearney Park in Fresno County, Delhi, Shingle Springs, Petaluma, Porterville, and Riverside. The station library and equipment for chemical, physical and biological work have been more highly developed at Berkeley than elsewhere, but these facilities for research are also being provided gradually at Davis, and at the Citrus Experiment Station, Riverside. Those three places are the sites of permanent institutions and serve as the headquarters for research in adjacent areas.

Another idea of the University of California has been that the existence and encouragement of research is fundamental to a successful system of instruction, as well as basic in the development of the agriculture of the state. All members of the staff are consequently encouraged to devote as much of their time as possible to that intensive study which leads to discovery and the extension of the bounds of knowledge. Individually and in groups representing diverse sciences the members of the college staff and the university staff are working for the advancement of agricultural science. That they are succeeding in a measure is indicated by the United States Experiment Station Record for June, 1921, which published a summary of eighty-nine distinct lines of work by seventy-three members of the staff. The annual report of the college for 1921-1922 contains a summary of 349 pieces of investigation and a list of 149 projects in progress. In the variety of problems under investigation and in the publication of reports, bulletins, and papers in scientific journals the California station ranks as high as any station in America.

The research work of Oregon Agricultural College is scattered in the different agricultural areas of the state, and is organized on a project basis. Reports are required from investigators annually. One difference from the California system is that it is the policy of the state to require the county in which experimental work is located to finance the cost of the land and original buildings.

The main center of research work in the University of Wisconsin is at Madison, where all departments cooperate in attempting to solve the problems confronting agriculture. There are also five stations at other points in the state selected for differing local conditions which could not be adequately met from the University. Research work is organized into projects and progress reports are required annually. The results of many of these experiments are disseminated very widely and satisfactorily through an organization of graduates of the farm school and the college, known as the Agricultural Experimental Association.

In New York state agricultural research and experimentation is carried on both at Cornell University and at the Geneva Experiment Station, which is another state-supported institution. There is no legal association between the two, but a working affiliation has been effected by mutual agreement. Work is also done from time to time on special problems in other areas. Cornell, contrary to the other institutions we visited, does not allot its research funds on a project basis, but makes departmental appropriations which are distributed by the department heads. The Director of Research keeps constantly in touch with all research men and progress reports are required annually.

The general program of all the institutions visited would seem to indicate that in the main research work should be carried on at the university or college center, and that stations in other localities should be established more or less temporarily to solve definite problems impossible of solution elsewhere. The pressure of geographic and political considerations which results in so much unwise expenditure of funds might be curbed by the Oregon system which places on the community a financial burden in connection with the establishment it proposes. Wherever the work is located it would seem advisable to have it organized on a project basis, carefully supervised and frequently reported on.

Relations with State Department of Agriculture.

At the request of Director George H. Hecke of the State Department of Agriculture and Dean Thomas F. Hunt of the University the commission made some study of the relations in various states between the State Department (or departments) of Agriculture and the college of agriculture. There was found to be general agreement that these two bodies should be entirely separate, the college directing and conducting all work of instruction, research, and extension, and the department representing the police power of the state and exercising all functions of regulation. The one exception was Indiana, where the opinion was expressed that the logical place for the regulatory functions is with the college of agriculture, and that if a separate department is built up the inevitable result is differences of viewpoint and conflicts of jurisdiction.

The commission found no better working arrangement in any state than the agreement between Director Hecke and Dean Hunt which is set forth below:

The State Department of Agriculture should exercise executive and regulatory powers. The college of agriculture should devote its energies to research and education, both resident and nonresident. It is quite certain that it is not in the interest of the public welfare that it should be charged with police duties. It is the function of the executive branch of the State, whose head is the Governor, to enforce the laws relating to agriculture through the Director of Agriculture and his subordinates, and those relating to forestry through the Commission of Forestry. The functions of the University, and hence of the College of Agriculture, are investigation and teaching. The college should not seek to control the action of any person. Its primary function is to determine the truth and state it accurately. The college should not have placed upon it any commercial, executive or police duties, nor should it be the policy of the State to appropriate money to the State Department of Agriculture for education or investigation, nor should it be the policy of the State to appropriate money to the College of Agriculture for regulatory purposes.

Conclusions of Agricultural Leaders.

At each of the institutions visited the situation facing the College of Agriculture of the University of California was presented in the following series of questions and the frank opinion of the various presidents, deans, and professors solicited:

1. Owing to the fact that adequate provision was not made for experimental and demonstration purposes at Berkeley before the grounds of the University were surrounded by a ring of cities and because of the wide difference which exists between the climate and products of the coast counties and the large interior valleys, the work of the college of agriculture is now divided between the University at Berkeley and a branch of the Agricultural College at Davis, seventy miles distant, and in the interior valley. The plan provisionally adopted is to give the instruction of the freshman and sophomore years at Davis where an adequate area of land for experimental and demonstration work has been secured and with the possible exception of animal husbandry, to give the instruction of the junior and senior years at Berkeley in contact with the broader life of the University. Your opinion of the feasibility of this plan is desired.

2. Do you believe instruction can be given properly in a divided agricultural college under any conditions?

3. Do you believe that agricultural instruction can be given satisfactorily if it is not located on a farm?

4. How important do you consider a unified college with all agricultural students at one place?

5. How important for a college of agriculture do you consider the location at and close affiliation with a great university?

6. If yours is a college of agriculture separate from a university, would you favor union with a university?

7. If your college of agriculture is part of a university would you favor separation?

8. How long has your college been in its present form and is it, in your opinion, successful?

The opinion at Oregon Agricultural College, chiefly expressed by President Kerr, was that the plan of divided instruction upon which the University of California is now embarked is not ideal, because of the isolation of the junior and senior years from the farm, but is probably the best that can be devised and would be immeasurably improved by the acquisition of a small tract of land at Berkeley. The importance of contact between agricultural students and men in other lines of work was held to be of the highest importance, and attention was called to the fact that Oregon Agricultural College has this feature, since it is not an agricultural school but a university of the applied sciences. President Kerr stated unequivocally that despite the great difficulties of the situation it was his opinion that the college of agriculture would lose its prestige and power for accomplishment if wholly separated, either physically or administratively, from the University of California, and that division of the course between Berkeley and Davis would therefore seem to be the best solution.

At the University of Minnesota the faculty of the college of agriculture was unanimously opposed to separation, believing that a university offers a broader opportunity for students both in variety of courses and in opportunity to study under men eminent in lines of work outside of agriculture. Dean Coffey and others were not enthusiastic over the division of instruction between Berkeley and Davis, but stated that if forced to choose between this and complete physical separation from the state university, they would immediately choose the former as the lesser of two evils.

The conviction was strong at Minnesota that consolidated instruction at Berkeley would be by far the best solution of California's problem if about 200 acres of land were available at that place, but that the accomplishments of the junior college in California would indicate success for the plan of divided instruction.

Both President Birge and Dean Russell at the University of Wisconsin stressed the fact that the college of agriculture is so closely knit into that institution that no one in the state would consider the advisability of separation. Dean Russell spoke of the splendid team work between the college of agriculture and the other departments of the University and the great advantage of having men working on a research problem from different points of view. Separation in his opinion not only splits the campus, but also educational effort. President Birge stressed the economy of a united institution and its advantage to agriculture in that funds sorely needed for other purposes are not expended on basic scientific and cultural courses. The reaction of Dean Deavenport and others at the University of Illinois was precisely similar to that expressed at Wisconsin.

The opinion expressed at Purdue was that an agricultural college to achieve its destiny must be connected integrally with a great university, and that while land is also a prime requisite, it need not be of great area adjacent to the campus. Grave doubts were expressed as to the divided course, the opinion of Dean Coulter being that it would not provide the atmosphere necessary to strengthen the intellectual fiber. This opinion was considerably modified after an explanation had been made by the commission of the junior college system in California and the success which

it had achieved. The advice of a group of prominent faculty members and trustees was that the state should secure land at Berkeley no matter what it costs rather than to either divide or separate, but that division should be chosen in preference to separation.

According to Dean Curtis of Iowa State College, the plan of divided instruction would have formidable difficulties under any conditions and would be practically impossible without land at Berkeley. Speaking from the experience of Iowa, he stated that taking agriculture wholly away from the state university should be the last alternative considered by the commission, and that the state would find it economical and efficient to condemn city blocks if necessary, in order to maintain the unity of higher instruction.

Dean Mann of Cornell advised strongly that all work be centralized at Berkeley. In his opinion, divided instruction between Berkeley and Davis would inevitably result in two four-year institutions, neither of which could properly meet the needs of agriculture. If this resulted ultimately in all agricultural work being given at Davis, the outcome would be most unfortunate for agriculture, because in the ensuing jealousies and contentions the University, as in all other states, would have the advantage. He pointed out the fact that a separate institution always has a bitter struggle to maintain the liberal work necessary to supplement its technical courses, and as the experience of Iowa State College has shown, can never hope to play its proper part in the field of graduate study. Dean Mann informed the commission that Cornell uses not over two hundred acres of poor farming land for instruction and that with Berkeley conditions he would acquire this area and consolidate the college of agriculture as a whole, with the University of California. Former Dean Bailey strongly confirmed this opinion, stating that with one hundred acres, a college at Berkeley would be superior to any separate institution. "All separate institutions," he said, "are going backward and a state which adopts the policy of separation today dooms its agricultural college to mediocrity."

President Butterfield of Massachusetts Agricultural College saw no reason to believe that divided instruction with a junior college at Davis and a senior college at Berkeley would not succeed. He expressed his own belief in a strictly agricultural college not connected with a university or diluted by mechanic arts or engineering, but admitted that the tendency was all the other way. He concurred with the other members of his staff in the belief that some land at Berkeley would be necessary to the success of the present scheme.

Doctor True, Doctor Allen, and Professor Crosby of the United States Department of Agriculture met with the commission in New York and held a long conference on the whole question of agricultural education. A general outline of the ideas expressed at this conference is as follows: Agricultural education of college and university grade involves four large factors, (1) training managers for ordinary farm operations; (2) training leaders for agricultural enterprises; (3) training leaders in science and teachers of agriculture; (4) research. These require an experiment station and a college of agriculture with a graduate school. Extension work, such as is called for under the Smith-Lever Act, is also a proper function of these institutions. When the separate colleges of agriculture were established there were no state universities and such institutions as did exist were of the old classical type, neither qualified or willing to teach agriculture. This condition has radically changed in the last fifty years, and now the colleges of agriculture united with state universities, are at least as successful as the others. The great advantage they have are the much broader possibilities of research and the finer training they can give for agricultural leadership by reason of the contacts they offer with every phase of professional life. The agricultural student should receive instruction not only about agricultural production and farm management but also about rural economics and sociology, and the relations of agriculture and country life to other occupations and interests. We do not want the leaders of the farm people to cultivate too much class feeling, but rather to be interested in their relations with other people and to get a broad vision of community, national, and world problems. Severance of an agricultural college from a university at this time should not be considered for a moment. It is out of line with all modern ideas. All the science, economics, sociology and other stores of knowledge, all the opportunities of student contact, of a great university should contribute to the broad training of the agricultural student. This does not mean that experiment station work or instruction must be maintained in one location, for diffusion wisely governed may in this field be an advantage. The maintenance of a successful agricultural college at Berkeley or divided instruction between Davis and Berkeley is entirely possible with land for outdoor laboratories at Berkeley and this should be secured as promptly as possible.

The opinions set forth in the preceding paragraphs are those expressed by various educators in response to the questions on page ?? They were unanimous in opposition to separation, either physical or administrative, of a college of agriculture from the State University; doubtful of divided instruction except as an alternative to separation, and generally favorable to the location of the whole college at the site of the State University even if highly expensive land must be condemned to make

this possible. The latter two opinions were, however, considerably modified in most cases when the prevalence and success of junior colleges in California were explained and particularly the notable accomplishments in agriculture by the Chaffey Union Junior College. Considering these facts, there was general agreement that divided instruction with the first two years of work in certain courses given at Davis under University direction and backed by the resources of the State would have every prospect of success.

Conclusions of the Commission.

1. Agriculture, from being a simple art, has become one of the most complex of modern occupations and modes of life, and agricultural education must, as a consequence, comprehend the practice, the science, and the business of farming, in order that men may be trained not only as tillers of the soil but as rural leaders, scientific investigators, managers of cooperative enterprises, agricultural teachers and for the many other branches of human endeavor that closely affect farm life and rural progress.

2. To meet all these demands with the highest efficiency and success, two distinct types of institution must be established, one stressing the science and economies of agriculture, the other the actual practice and business of farming.

3. For teaching the economics and science of agriculture, the college of agriculture in contact with the broad life of a university and directed by the same board of trustees is the best agency. It can not be expected to train the great army of farmers any more than the engineering colleges are expected to train the mechanics of the country, but it is the only source from which agricultural leadership can be looked for with confidence.

4. To be at all successful the agricultural college must have more land, live stock, and equipment than the University of California, including Davis, now possesses, that institution being inferior in these regards to the leading institutions of the country.

5. Applying these principles to the California situation the commission recommends:

(a) That the College of Agriculture be maintained as an integral part of the University of California under the President and Board of Regents of that institution.

(b) That for the present, the instruction of the college be divided between Davis and Berkeley in all curricula where such division is necessary to provide the physical facilities incident to a proper agricultural education.

(c) That where such division takes place it be in accordance with the junior college system of the state and provide for the first two years at Davis, Berkeley or elsewhere and the last two years at Berkeley. This arrangement will fit our educational system and at the same time prevent duplication of the highly expensive faculties and equipment needed for upper division work. It will also provide a splendid opportunity for boys desiring two years of scientific agriculture on the farm rather than a complete university course.

(d) That the following additions to the Berkeley plant be made at the earliest possible date, and the first of them immediately, in order that the program of divided instruction may be put on a basis that will make the University of California the equal of any institution in the country:

1. Between one hundred and two hundred acres of tillable land within fifteen minutes of the campus. Such an area is available and aid can be secured from the bay cities in financing its purchase. This land will be used, not as a farm, but as an outdoor laboratory by various departments, and in the opinion of the commission and the faculty of the college, will meet the most imperative need which the institution faces.

2. A large acreage of hill land for the use of the forestry and animal husbandry departments. This is available and can either be leased for a long term of years or bought at a reasonable price.

3. A building similar to Hilgard Hall completing the agricultural group, to house instruction in agricultural economics and to provide meeting places for agricultural associations and for short course classes.

4. Additional class rooms and laboratories for plant and animal nutrition.

5. Greenhouses for researches in plant and animal life.

6. A factory type of building to house investigations in the means of preserving perishable products and the processes by which the products of the farm are changed into forms used in human consumption. This would include operations such as the canning and drying of fruits, preservation of meats, and the manipulations of wool and vegetable fibre products.

7. A laboratory for researches and demonstrations in agricultural engineering. This is needed for upper division and graduate students.

(e) That provision for instruction in domestic science and home economics be made at Davis, in order that recognition may be given to the fact that the farm is a partnership concern, for which women must be trained as well as men.

(f) That, as more fully developed in the chapter on farm schools, the nondegree work at Davis be transferred to other institutions, and that in its place the short courses both at Davis and Berkeley be extended and developed to meet the needs of persons over eighteen who have not availed themselves of the opportunities of the Smith-Hughes high schools and similar institutions.

6. The commission recommends that the college of agriculture be granted the largest measure of autonomy in educational matters compatible with the existence of a unified university policy, and that the decision as to the extent of this autonomy rest with the president and regents rather than with any academic body.

7. The commission recommends that the admission requirements of the College of Agriculture be maintained at the same level as those for the rest of the University, but that the attention of the proper authorities be called to the excellent records of many nonrecommended high school graduates in the University Farm School and to the possibility of a more satisfactory standard for recommendation from the high school to the College of Agriculture.

8. Observations throughout the country convinced the commission of the high character of the Board of Regents of the University of California and of the desirability of long terms and freedom from political interference. The commission is of the opinion, however, that in a state as highly agricultural as California, the interests of the University would be served by the more frequent appointment as regents of men who are leaders in rural life. Also the desire of the farmers to express themselves more fully on the service of their industry might be put to good use for the State and the institution if the regents were to solicit the formation of advisory committees from various phases of the agricultural industry and seek advice from these committees from time to time on the policy of the college and the needs of their field of agriculture.

9. As a result of their investigations the commission has returned to California proud of the experiment station and the extension service in this state which have only one possible equal and no superiors. Despite this fact the commission is of the opinion that the University of California is acting in accordance with the best practice of American universities and agricultural colleges in admitting to academic status only those engaged in research and resident instruction. The overwhelming verdict of the institutions visited is against according academic titles and privileges to the county agents or farm advisers, not because they are considered inferior in any way but because their activities lie outside the academic field.

10. The commission recommends that experiment station work be centralized at Berkeley, Davis and Riverside where there are permanent plants and that work on specific problems characteristic of particular localities be conducted in more or less temporary stations, thus avoiding duplication of expenses for acreage, institutional buildings, and overhead. Moreover, expenses for land and buildings, even under these simple conditions, should be met, at least in part, by the community in which they are situated. This provision will do much to insure the genuineness of the need which is being pressed.

11. The commission recommends that no student be permitted to graduate from the College of Agriculture who has not had at least one year of actual farm experience.

12. The commission is unanimous in the belief that one of the greatest causes of criticism of the College of Agriculture of the University of California has been lack of knowledge amongst the farmers of the State as to its activities and the very notable results of its teaching and research. Some method of organizing and disseminating proper publicity concerning the work of the college and the university is strongly recommended as a means of making available to the people of the State in larger measure the benefits of higher learning. Another reason is the conspicuous absence at Berkeley of land and buildings for agricultural research and instruction. These have such prominence in the teaching equipment of all other first-class institutions (as shown by the illustrations in this report), that their lack at Berkeley can not escape intelligent criticism which will continue until this lack has been supplied.

SUMMARY OF FINDINGS AND RECOMMENDATIONS.

In summary form the findings and recommendations of the commission are as follows:

Elementary and Secondary Schools.

1. The basis for a sound and practical system of agricultural education in the elementary and secondary schools of California has been provided by the federal and State vocational educational acts of 1917.

2. The principal need of the elementary schools of the State is for a competent corps of instructors. If the regular grade teachers are to instruct pupils upon agricultural subjects they must receive a more thorough preparation for the work, and they should be under the close supervision of a specially trained district director of agricultural education. An alternative plan which holds promise of even better results is to place the actual teaching of agriculture in the grade schools in the hands of the local high school teachers in agriculture. When every high school has an agricultural department this will be a possible and practical solution of the problem of teaching agriculture in the elementary schools.

3. In the high schools the Smith-Hughes work has made a successful beginning and its extension is recommended. The project feature of this type of agricultural instruction has proved particularly valuable. Constant improvement of the high school teaching personnel is distinctly desirable, and is rapidly taking place.

4. Agricultural instruction given in the high schools either now or in the future, should be better correlated with the work given in the College of Agriculture of the University than has been the case in the past. This is a practical possibility under present university requirements and is usually neglected because of unfamiliarity with these requirements.

5. In the opinion of the commission junior colleges of agriculture equivalent to the first two years of the College of Agriculture in a university can not be efficiently conducted or adequately financed except by the state. The brilliant record of Chaffey Union Junior College might seem to indicate that this opinion is erroneous, but we believe that the community in which Chaffey is located is unusually rich and we doubt if even it will always bear easily the constantly mounting cost of scientific agricultural education, research, and extension. Whether it will or not there are certainly few other districts which could copy it, and it is therefore not practical to look in this direction for state development.

6. As a practical substitute for the Chaffey type of school and as a supplement to the College of Agriculture of the University of California and its branches, this commission strongly recommends that consideration be given by the State Board of Education to the extension of agricultural instruction by the project system into the junior colleges. Under this system a reasonable number of junior colleges, strategically located, could without the very heavy expense of land, buildings, live stock, and farm equipment, conduct worth while vocational agricultural courses that would be a very serviceable factor in keeping the boy on the farm and fitting him to make of the farm a profitable business venture.

7. Finally, the commission recommends strongly that support and encouragement be given the branch of the College of Agriculture at Davis where the facilities and staff are such as to guarantee the most successful results in the first two years beyond the high school, both from the point of view of vocational and professional training. This type of school can not be duplicated by any smaller political subdivision than the State, and it should not be duplicated even by the State, which after all has not limitless finances, until the need develops. Neither enrollment nor any other factor indicates that need at the present time, but when such need does appear it would seem logical that similar institutions should be established in central and southern California.

Farm Schools.

1. The educational service of the farm school occupies a narrow field of usefulness between the Smith-Hughes work in the high schools and the collegiate instruction in the university, but within this field is of considerable importance.

2. The farm school should be a vocational training school of secondary grade teaching relatively immature persons the practical handicrafts and the well established principles of agriculture and home-making, with a minimum of general cultural courses. It should prepare young people for farming and homemaking by the shortest route. It should emphasize the practical and, only in a very limited degree, teach the scientific and theoretical aspects of agriculture.

3. The farm schools should be primarily finishing schools, not college preparatory schools. To become the latter denies the premise upon which they were established. To care for the student who, in the farm school, discovers his "career" and wishes further education, some correlation with the University should be effected, so that certain work would be accepted for matriculation and the balance of the requirements met through examinations.

4. The farm school should not conduct research work of any kind. This can be done only by highly trained specialists, a class of men not needed to impart established knowledge to young people of high school age. It is also very expensive and requires special facilities.

5. The farm school should do no extension work. Extension work deals with mature farmers and brings to them methods based on knowledge of recent and often incomplete research. This type of service can not be given advantageously by those who have been chosen primarily for their ability to teach the immature. Reliable extension teaching, which will keep ahead of the demands of the farmers for exact information, can only be done by extension workers who are in close touch with specialized teaching and investigation departments such as exist in the college of agriculture.

6. The farm school should not admit the student over 21 years of age who has discovered too late the need of an education. This student should improve his preparation and enter the University as a special student or should take short course work in the line of his special interest. Experience has shown that the mixing of mature and immature students of varying degrees of preparation and ability is disastrous to the effectiveness of a teaching institution. The type of short course

offered at the University of Wisconsin seems to this commission to meet admirably the need of the student who fits neither in the high school, the farm school, or the college of agriculture.

7. The farm school, being a part of the secondary school system, should be under the State Board of Education. This body should insure its rendering its particular service and keep it in proper adjustment with the other units of the school system.

8. The need for farm schools is limited. It is the opinion of the commission that this need in California would be fully met at the present time by the careful, efficient and attractive development of the California Polytechnic School at San Luis Obispo, to which should be transferred all the non-degree work now given at Davis except the short courses for persons beyond high school age.

Universities.

Agriculture, from being a simple art, has become one of the most complex of modern occupations and modes of life, and agricultural education must as a consequence comprehend the practice, the science, and the business of farming, in order that men may be trained not only as tillers of soil but as rural leaders, scientific investigators, managers of cooperative enterprises, agricultural teachers and for the many other branches of human endeavor that closely affect farm life and rural progress.

2. To meet all these demands with the highest efficiency and success, two distinct types of institution must be established, one stressing the science and economics of agriculture, the other the actual practice and business of farming.

3. For teaching the economics and science of agriculture the college of agriculture, in contact with the broad life of a university and directed by the same board of trustees, is the best agency. It cannot be expected to train the great army of farmers any more than the engineering colleges are expected to train the mechanics of the country, but is the only source from which agricultural leadership can be looked for with confidence.

4. To be at all successful the agricultural college must have more land, live stock, and equipment than the University of California including Davis, now possesses, that institution being inferior in these regards to the leading institutions of the country.

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(c) That where such division takes place it be in accordance with the junior college system of the state and provide for the first two years at Davis, Berkeley or elsewhere and the last two years at Berkeley. This arrangement will fit our educational system and at the same time prevent duplication of the highly expensive facilities and equipment needed for upper division work. It will also provide a splendid opportunity for boys desiring two years of scientific agriculture on the farm rather than a complete university course.

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2. A large acreage of hill land for the use of the forestry and animal husbandry departments. This is available and can either be leased for a long term of years or bought at a reasonable price.

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Respectfully submitted,

A. C. HARDISON, Chairman,
SAM G. MORTLAND,
ELWOOD MEAD,
SHERIDAN W. BAKER,
J. JAS. HOLLISTER,
R. G. SPROUL,
W. S. GUILFORD,
Members of Commission.

STATE OF CALIFORNIA, EXECUTIVE OFFICE.

SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California.

I have the honor to inform your honorable body that since the adjournment of the last session of the Legislature, I have made the following appointments:

Board of Charities and Corrections—Rev. Chas. A. Ramm, San Francisco; Hattie H. Sloss, San Francisco; Jessica B. Peixotto, Berkeley; B. H. Pendleton, Oakland
Insurance Commissioner, E. C. Cooper.
Prison Director, Charles L. Neumiller.

Yours truly,

WM. D. STEPHENS, Governor.

REPORT OF SPECIAL COMMITTEE.

Senator Sample advised the Senate that the committee on the inaugural ceremonies had concluded its work and that all arrangements in connection with the inauguration of the Governor-elect and the Lieutenant Governor-elect had been completed.

ANNOUNCEMENT BY THE PRESIDENT PRO TEMPORE.

Hon. A. H. Breed, President pro tempore of the Senate, announced that the Assembly would be ready to receive the Senate at the hour of eleven o'clock a.m. of this day to canvass the returns of the election of Governor and Lieutenant Governor.

RECESS.

At ten o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate at recess for the purpose of meeting with the Assembly in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, January 9, 1923.

At eleven o'clock a.m. the Senate and Assembly met in Joint Convention.

Hon. Frank F. Merriam, Speaker of the Assembly, directed that Hon. C. C. Young, President of the Senate, be escorted to the chair.

The President directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuttle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

The President declared a quorum of the Senate present.

Hon. Frank F. Merriam, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names:

Anderson, Badham, Baker, C. C., Baker, E., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Ekswold, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

The Speaker declared a quorum of the Assembly present.

PRESIDENT PRO TEMPORE IN CHAIR.

At eleven o'clock and fifteen minutes a.m. the President of the Senate called Hon. A. H. Breed, President pro tempore of the Senate, to the chair.

REGULAR ORDER OF BUSINESS.

By direction of the President pro tempore of the Senate, the Secretary of the Senate read sections of the Constitution of the State of California and sections of the Political Code of the State, which provide for the two branches of the Legislature meeting in joint convention for the purpose of canvassing the votes cast for Governor and Lieutenant Governor, as follows:

Constitution:

Section 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor.

Section 15. A Lieutenant Governor shall be elected at the same time and place, and in the same manner, as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall have only a casting vote therein.

Of the Political Code:

Section 1292. When an election has been held to fill the office of Governor or Lieutenant Governor, the clerk of each county, in addition to the abstract made for transmission to the Secretary of State, must as soon as the statement of the vote of his county is made out and entered upon the records of the boards of supervisors make two certified abstracts of so much thereof as relates to the vote given for such officers.

Section 1293. The clerk must seal up each abstract separately, and indorse thereon "Election Returns for Governor and Lieutenant Governor."

Section 1294. He must at once direct one copy to the Speaker of the Assembly next to meet, address it to Sacramento, California, and deposit it, postpaid, in the postoffice.

Section 1295. The other copy he must direct and address, in the same manner, and at once deliver it to a member-elect of the Legislature, or to a Senator who holds over; and the person to whom it is so delivered must deliver it to the Speaker on or before the second day next after his election.

Section 1296. The returns of election for Governor and Lieutenant Governor must, during the first week of the session, be opened, canvassed, and the result declared by the speaker of the Assembly, in presence of both houses.

Section 1297. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election if it can with reasonable certainty be ascertained from such return what office is intended, and who is elected thereto.

ANNOUNCEMENT.

The Speaker of the Assembly announced that the election returns from all the counties in the State had been received and were now at the desk, and that the joint convention would proceed with the opening of the returns from the recent election for Governor and Lieutenant Governor.

APPOINTMENT OF TELLERS.

The Speaker of the Assembly appointed as tellers, on the part of the Assembly, Messrs. Badham and Erb.

The President pro tempore of the Senate appointed as tellers, on the part of the Senate, Senators Chamberlin and Jones.

Canvass of the returns was thereupon made, and the tellers reported:

FOR GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Governor of the State of California was announced as follows:

Friend Wm. Richardson	576,445
Thomas Lee Woolwine	347,530
Alexander Horr	41,418
Scattering	391

Whereupon the Speaker of the Assembly declared Friend Wm. Richardson duly elected Governor of the State of California for the next succeeding four years.

FOR LIEUTENANT GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Lieutenant Governor of the State of California was announced as follows:

C. C. Young	597,349
William B. Shearer	232,366
Isabel C. King	58,088
Scattering	21

Whereupon the Speaker of the Assembly declared C. C. Young duly elected Lieutenant Governor of the State of California for the next succeeding four years.

RESOLUTION.

The following resolution was offered:

By Senator Sample:

Resolved, That the hour of two o'clock p.m., on Tuesday, January 9, 1923, be appointed the time when, and the Assembly Chamber in the State Capitol, Sacramento, Cal., the place where, the Governor and Lieutenant Governor-elect shall take the official oath in the presence of both houses of the Legislature in joint convention assembled, as required in and by section 905 of the Political Code.

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action, and that when this Joint Convention adjourns it adjourn to meet at the hour and place aforesaid.

Resolution read, and on motion of Senator Sample adopted.

READING AND APPROVAL OF MINUTES.

The minutes of the Joint Convention were then read, and on motion of Assemblyman Carter approved.

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., the President pro tempore of the Senate declared the Joint Convention adjourned until two o'clock p.m., of Tuesday, January 9, 1923.

IN SENATE.

At twelve o'clock m., the Senate reconvened. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of one o'clock and fifty minutes p.m.

RECONVENED.

At one o'clock and fifty minutes p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

RECESS.

At one o'clock and fifty-five minutes p.m., the President of the Senate, on motion of Senator Gates, declared the Senate at recess, for the purpose of meeting with the Assembly at two o'clock p.m., in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
Tuesday, January 9, 1923.

Pursuant to adjournment this day, the Senate and Assembly of the State of California met in Joint Convention on this day, Tuesday, January 9, 1923, at two o'clock p.m., for the purposes set forth in the following resolution, adopted this day in Joint Convention:

RESOLUTION.

Resolved, That the hour of two o'clock p.m. on Tuesday, January 9, 1923, be appointed the time when, and the Assembly Chamber in the State Capitol, Sacramento, California, the place where, the Governor and Lieutenant Governor-elect shall take the official oath in the presence of both houses of the Legislature, in Joint Convention assembled, as required in and by Section 905 of the Political Code.

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action, and that when this Joint Convention adjourns it adjourn to meet at the hour and place aforesaid.

Senator A. H. Breed, President pro tempore of the Senate, and Hon. Frank F. Merriam, Speaker of the Assembly, presiding.

The President pro tempore of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

The President pro tempore declared a quorum of the Senate present.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, E., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—80.

The Speaker declared a quorum of the Assembly present.

REPORT OF JOINT COMMITTEE.

Senator Sample, Chairman of the Joint Committee of the Senate and Assembly on Inaugural Ceremonies, appeared at the bar of the House and announced to the Speaker of the Assembly the presence of His Excellency William D. Stephens, Governor, Hon. Friend Wm. Richardson, Governor-elect, and Hon. C. C. Young, Lieutenant Governor and Lieutenant Governor-elect.

At the invitation of Hon. A. H. Breed, President pro tempore of the Senate, the Governor, the Governor-elect and the Lieutenant Governor and Lieutenant Governor-elect were escorted to the platform by the following committee: Senators Sample, Sharkey and Boggs, and Assemblymen Graves, Broughton, Scott and Mathews.

ORDER OF BUSINESS.

The following was the order of business followed:

INAUGURAL CEREMONIES.

Program.

Call to order of the Joint Assembly of the Legislature of the State of California—Hon. Arthur H. Breed, President pro tempore of the Senate; Frank F. Merriam, Speaker of the Assembly, presiding.

National Airs—Noack's Orchestra.

Invocation—Rt. Rev. William Hall Moreland, D.D., Chaplain of the Assembly.

Introduction of Governor William D. Stephens, by Frank F. Merriam, Speaker of the Assembly.

Address—Governor William D. Stephens.

Administration of Oath of Office to Hon. Friend Wm. Richardson, Incoming Governor, by Hon. E. C. Hart, Justice of the Third District Court of Appeal.

"Hail to the Chief"—Noack's Orchestra.

Firing of the Governor's Salute of Seventeen Guns.

Introduction of Governor Friend Wm. Richardson, by Hon. Arthur H. Breed, President pro tempore of the Senate.

Inaugural Address—Governor Friend Wm. Richardson.

Solo, "Because I Love You, Dear" (Hawley)—Gertrude Warren Barry; Mrs. Elliott McSwain, Accompanist.

Administration of Oath of Office to Lieutenant Governor C. C. Young, by Justice E. C. Hart.

Introduction of Lieutenant Governor C. C. Young, by Hon. Arthur H. Breed, President pro tempore of the Senate.

Address—Lieutenant Governor C. C. Young.

Solo, "Thank God for a Garden," (Teresa Del Riego)—Rudolph Caffaro; Mrs. Sue Geary Pease, Accompanist.

"Star Spangled Banner."

Benediction, by Rev. William E. Harrison, D.D., Chaplain of the Senate.

Selection—Noack's Orchestra.

PRAYER.

Prayer was offered by the Chaplain of the Assembly, Rt. Rev. William H. Moreland.

ADDRESS BY GOVERNOR STEPHENS.

Upon invitation by the Speaker of the Assembly, Governor William D. Stephens addressed the Joint Convention.

ADMINISTRATION OF OATH OF OFFICE.

The Hon. E. C. Hart, Justice of the Third District Court of Appeal of the State of California, administered the oath of office to Governor-elect Friend Wm. Richardson, as follows:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of Governor according to the best of my ability.

ADDRESS BY GOVERNOR FRIEND WM. RICHARDSON.

Governor Friend Wm. Richardson was presented to the Joint Convention by Hon. A. H. Breed, President pro tempore of the Senate, and he proceeded to address the Joint Convention.

ADMINISTRATION OF OATH OF OFFICE.

The Hon. E. C. Hart, Justice of the Third District Court of Appeal, administered the oath of office to Lieutenant Governor-elect Hon. C. C. Young, as follows:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant Governor according to the best of my ability.

PRESENTATION OF LIEUTENANT GOVERNOR.

Hon. A. H. Breed, President pro tempore of the Senate, introduced to the Joint Convention the Hon. C. C. Young, Lieutenant Governor of the State of California.

ADDRESS BY LIEUTENANT GOVERNOR C. C. YOUNG.

The Lieutenant Governor, Hon. C. C. Young, then addressed the Joint Convention.

READING AND APPROVAL OF MINUTES.

The minutes of the Joint Convention were then read and approved.

BENEDICTION.

Rev. Wm. E. Harrison, Chaplain of the Senate, then pronounced the benediction.

ADJOURNMENT.

There being no further business, at three o'clock p.m. the President pro tempore of the Senate adjourned the Joint Convention sine die.

IN SENATE.

At three o'clock and ten minutes p.m. the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Lillian J. Boyd, Assistant Secretary-----	\$7.00	per day
Beatrice B. Rheinstrom, Assistant Secretary-----	7.00	per day
W. T. Christensen, Assistant at Desk-----	5.00	per day
John P. Rice, Assistant Minute Clerk-----	7.00	per day
Lillian Burger, Assistant Minute Clerk-----	7.00	per day
Rowena M. Crowley, Assistant Minute Clerk-----	7.00	per day
Wellington Bowser, Journal Clerk-----	7.00	per day
Gilbert A. Cowan, Assistant Journal Clerk-----	5.00	per day
Carrie Garrison, Assistant Journal Clerk-----	5.00	per day
W. W. Van Pelt, Engrossing and Enrolling Clerk-----	7.00	per day
Florence N. True, Assistant Engrossing and Enrolling Clerk-----	5.00	per day
J. J. MacDonald, History Clerk-----	7.00	per day
A. Reggiardo, Assistant History Clerk-----	5.00	per day
Gladys Pomeroy, File Clerk-----	7.00	per day
Leonard J. Scheck, Assistant File Clerk-----	5.00	per day
Leona Haud, Stenographer-----	5.00	per day
Grace E. Garrett, Stenographer-----	5.00	per day
W. S. Street, Stenographer-----	5.00	per day

Gladys B. Cox, Stenographer.....	\$5.00 per day
Fay Leonard, Stenographer.....	5.00 per day
Eva M. Nunes, Stenographer.....	5.00 per day
Marguerite Sweet, Stenographer.....	5.00 per day
H. J. Powers, Stenographer.....	5.00 per day
Elfriede M. Wuesthoff, Stenographer.....	5.00 per day
A. E. Wakefield, Stenographer.....	5.00 per day
Lottie Heard, Stenographer.....	5.00 per day
Mae Fitzpatrick, Stenographer.....	5.00 per day
M. S. West, Stenographer.....	5.00 per day
May McLane, Stenographer.....	5.00 per day
Kathleen Tuite, Stenographer.....	5.00 per day
James Kenny, Stenographer.....	5.00 per day
John T. Young, Assistant Sergeant at Arms.....	5.00 per day
Marius Burnett, Assistant Sergeant at Arms.....	5.00 per day
W. A. Hicks, Assistant Sergeant at Arms.....	5.00 per day
W. Allen, Assistant Sergeant at Arms.....	5.00 per day
Louis Holden, Assistant Sergeant at Arms.....	5.00 per day
Jas. Seifert, Assistant Sergeant at Arms.....	5.00 per day
Wm. J. Ferguson, Assistant Sergeant at Arms.....	5.00 per day
Lawrence Furlong, Assistant Sergeant at Arms.....	5.00 per day
James Mullhall, Assistant Sergeant at Arms.....	5.00 per day
P. F. Dugan, Assistant Sergeant at Arms.....	5.00 per day
Otto E. Makowski, Assistant Sergeant at Arms.....	5.00 per day
Mary L. Finney, Postmistress.....	4.00 per day
Hattie Newsom, Assistant Postmistress.....	4.00 per day
Verda Archer, Assistant Postmistress.....	4.00 per day
Anna E. McMahon, Press Mailing Clerk.....	4.00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, W. F., Gates, E. J., Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

ADJOURNMENT.

At three o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Wednesday, January 10, 1923.

The Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 9, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

INTRODUCTION OF PRIVATE SECRETARY OF THE GOVERNOR.

Sergeant-at-Arms Joseph F. Nolan, introduced to the Senate Hon. Joseph W. Vickers, Private Secretary of the Governor.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 10, 1923.

To the Senate of the State of California.

I have the honor to inform you that I have appointed Joseph W. Vickers, of Los Angeles, State of California, my private secretary, and Harry Lutgens, of Santa Rosa, my executive secretary, through whom all communications from this office will be transmitted to your honorable body.

Yours respectfully,

F. W. RICHARDSON,
Governor of the State of California.

Referred to Committee on Rules, when appointed.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 10, 1923.

To the Senate of the State of California.

I hereby respectfully withdraw from the consideration of your honorable body the following appointments submitted to your honorable body for approval on the 9th day of January, 1923, viz.:

E. C. Cooper, for Insurance Commissioner;

Charles L. Neumiller, for Prison Director;

B. H. Pendleton, of Oakland; Jessica B. Piexotto, of Berkeley; Hattie H. Sloss, of San Francisco; and Rev. Chas. A. Ramm, of San Francisco, for members of the Board of Charities and Corrections.

Yours respectfully,

F. W. RICHARDSON,
Governor of the State of California.

Referred to Committee on Rules, when appointed.

APPOINTMENTS BY THE PRESIDENT.

The following communication was received and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1923.

To the Senate of the State of California.

I beg leave to inform you that I have appointed Robert Zarriek as page, at a per diem of \$2.50; Shirley Abramson, as page, at a per diem of \$2.50; J. E. Stephens, as page, at a per diem of \$2.50; and respectfully request the consent of the Senate thereto.

C. C. YOUNG,
President of the Senate.

Senator Breed moved that the appointments be confirmed by the Senate.

The question being on the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

RESOLUTION.

The following resolutions were offered:

By Senator Breed:

Resolved, That Lottie Heard, Stenographer, at \$5.00 per day, be transferred to the position of Chief Stenographer at \$6.00 per day.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Also:

Resolved, That the following named persons be, and they are hereby, appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Merle McMillan, Stenographer	\$5 00 per day
Agnes Shearer, Stenographer	5 00 per day
James Maginnis, Assistant Sergeant-at-Arms	5 00 per day
Thos. Casey, Assistant Sergeant-at-Arms	5 00 per day
Frank Moore, Assistant Sergeant-at-Arms	5 00 per day
Geo. Ricketts, Assistant Sergeant-at-Arms	5 00 per day
Ruth Crowley, Press Mailing Clerk	4 00 per day
Mrs. J. Carter, Press Mailing Clerk	4 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

PRIVILEGE OF THE FLOOR.

On request of Senator Hurley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Rabbi Rudolph I. Coffee of Oakland, California.

COMMUNICATION.

The following communication was received and ordered printed in the Journal.

OFFICE OF SURVEYOR GENERAL AND REGISTER STATE LAND OFFICE.
STATE OF CALIFORNIA.

SACRAMENTO, January 8, 1923.

To the Legislature of the State of California.

Pursuant to the provisions of chapter 800, Statutes of California, 1917, I beg to report that the registrars of titles under "The Torrens Law" in the 17 counties of the State in which registrations of land have been made up to August 1, 1922, advised me as follows:

Alameda County.

"I desire to say that there have been 19 registrations and certificates issued by this office since August, 1921, to date, the total number of certificates issued being 77, several being transfers of owners, and only about 40 of them being original registrations."

Fresno County.

"In regard to the number of registrations or certificates of title issued in this county of land titles, beg to state that up to and including August 1, 1922, we have had only one registered in this office."

Humboldt County.

"The total number of Torrens certificates of title issued in Humboldt County up to August 1, 1922, is 154."

Imperial County.

"The number of Torrens certificates outstanding as of August 1, 1922, is 211."

Kern County.

"Total number of registrations made in Kern County, 2. Total number of certificates of title issued, 29, up to and including July 31, 1922. Of the certificates issued, six have been canceled, so there are today 23 outstanding."

Lassen County.

"Will say there has been one transfer."

Los Angeles County.

"The total number of certificates of title issued by this office up to August 1, 1922, was 17,107, and the total number of documents filed to the same date was 27,558."

Orange County.

"Total number of original registrations to August 1, 1922, 892. Total number of certificates issued, 2342."

Riverside County.

"This office has issued only 95 certificates of title, under the Torrens Title Act, since the same became effective in this county, in 1917."

San Bernardino County.

"Total number of registrations to August 1, 1922, by decrees, 420. Total number of certificates of title issued, caused by transfer of title, 831."

San Diego County.

"The total number of certificates of title issued by me up to August 1, 1922, is 1724."

San Francisco County.

"In the entire life of the act but five original decrees have been filed in this department."

Santa Barbara County.

"Total number of certificates issued, 42. Number of parties whose property is registered (including wives and husbands), 17. Total number of documents filed (including two decrees), 5."

Santa Cruz County.

"We have issued two certificates of title to date."

Sonoma County.

"Up to August 1, 1922, there had been 149 certificates issued, 114 documents filed, and 78 parcels of land registered."

Tulare County.

"Total number of certificates of title issued since operations commenced in Tulare County, 31."

Ventura County.

"In regard to Torrens registrations in this county, we have issued only one certificate."

The Torrens Act provides that upon the original registration of any land, a sum equal to one-tenth of 1 per cent of the assessed value of the land, including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition, shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens Title Assurance Fund." The books of the State Treasurer show that on July 20, 1922, the

"Torrans Title Assurance Fund" contained \$20,414.88, and that on July 21, 1922, State of California Harbor Insurance Fund 4 per cent bonds having a face value of \$20,000 were purchased for the benefit of said fund, for the sum of \$19,356.53, and that the amount of cash in said fund on August 1, 1922, was \$1,058.35.

Respectfully submitted.

W. S. KINGSBURY, Surveyor General.

ADJOURNMENT.

At ten o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, January 11, 1923.

The Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Aycock, Bages, Breed, Burnett, Canine, Carr, Chamberlin, Crockett, Cresson, Derrott, Edger, Gates, W. F., Gates, E. J., Goolsby, Gray, Hardy, Harris, Hart, Harney, Ingram, Johnson, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lott, McDonald, Marshall, Noss, Osborn, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harris n.

PRIVILEGE OF THE FLOOR.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Cadet Taylor of Pomona, E. C. Denno of Long Beach, and Dr. V. Ray Townsend of Long Beach.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Myford Irvine of San Francisco.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 10, 1923 the further reading was dispensed with, on motion of Senator Rush.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named persons be, and they are hereby, appointed to the respective positions hereinafter specified, as provided by law, with the compensation set against said offices, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

George King, Stenographer	\$5 00 per day
Rose A. Cromer, Stenographer	5 00 per day
Frank L. Gaffney, Stenographer	5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

NOES—None.

By Senator Lewis:

Resolved, That a special committee of three be appointed on contingent expenses and mileage.

Resolution read, and on motion of Senator Lewis adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution offered by Senator Lewis, the President appointed Senators Lewis, Creighton and Swing as a Committee on Contingent Expenses and Mileage.

MOTION.

Senator Breed moved, seconded by Senator Gates, that a temporary Committee on Rules be appointed.

Motion carried.

APPOINTMENT OF COMMITTEE.

In accordance with the foregoing motion, the President appointed Senators Breed, Eden, Gates, Sample and Slater as a temporary Committee on Rules.

RESOLUTION.

The following resolution was offered:

By Senator Hart:

Resolved, That the Sergeant-at-Arms of the Senate or the Bookkeeper of the Sergeant-at-Arms of the Senate be, and he is hereby, authorized and empowered to receipt to the Controller for all warrants for payments to members, officers, and attaches of the Senate.

Resolution read, and on motion of Senator Hart adopted.

ADJOURNMENT.

At eleven o'clock a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, January 12, 1923.

The Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 11, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Hart was, on motion of Senator Sample, granted leave of absence for this day.

Senator Rominger was, on motion of Senator Chamberlin, granted leave of absence for this day.

Senator Sharkey was, on motion of Senator Slater, granted leave of absence for this day.

Senator Ingram was, on motion of Senator M. B. Johnson, granted leave of absence for this day.

Senator Carr was, on motion of Senator Hurley, granted leave of absence for this day.

MOTION.

Senator Hurley moved to amend Rule 8 of the proposed Standing Rules of the Senate, by providing that the Committee on Finance should consist of fifteen instead of sixteen members.

WITHDRAWAL OF MOTION.

By unanimous consent, Senator Hurley withdrew the foregoing motion.

MOTION.

Senator Hurley moved to amend Rule 8 of the proposed Standing Rules of the Senate, by providing that the Committee on Finance should consist of seventeen instead of sixteen members.

Motion lost.

MOTION.

Senator McDonald moved, seconded by Senator Godsil, that the membership of the Committee on Judiciary be increased by the appointment of three laymen as members thereof.

Motion lost.

REPORT OF COMMITTEE.

The following report of committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, January 12, 1923.

MR. PRESIDENT: Your Committee on Rules begs leave to submit the following as the Standing Rules of the Senate for the forty-fifth session of the Legislature of the State of California, and respectfully recommends that they be adopted:

STANDING RULES OF THE SENATE.

CONVENING AND ORDER OF BUSINESS.

Hour of Meeting.

1. The sessions of the Senate shall be daily, Sundays excepted, beginning at ten o'clock a.m. unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. The order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading, and Reference of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

Presiding Officers of the Senate—The President.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

The President Pro Tempore.

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

Presiding by Senators.

6. The President or President pro tempore, in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

Committees of the Senate—Appointment of Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

LIST OF STANDING COMMITTEES.

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Livestock, eleven members.
2. Banking, nine members.
3. Building and Loan Associations, five members.
4. Civil Service, five members.
5. Commerce and Navigation, eleven members.
6. Conservation, seven members.
7. Constitutional Amendments, nine members.
8. Contingent Expenses, three members.
9. Corporations, nine members.
10. County Government, nine members.
11. Drainage, Swamp and Overflowed Lands, nine members.
12. Education, fifteen members.
13. Elections, eleven members.
14. Engrossment and Enrollment, three members.
15. Federal Relations, five members.
16. Finance, sixteen members.
17. Fish and Game, fifteen members.
18. Governmental Efficiency, nine members.
19. Hospitals and Asylums, nine members.
20. Insurance, eleven members.

21. Irrigation, seven members.
22. Judiciary, fourteen members.
23. Labor and Capital, eleven members.
24. Manufactures, five members.
25. Military Affairs, five members.
26. Mines and Mining, five members.
27. Motor Vehicle, thirteen members.
28. Municipal Corporations, nine members.
29. Oil Industries, nine members.
30. Prisons and Reformatories, nine members.
31. Public Charities and Corrections, seven members.
32. Public Health and Quarantine, nine members.
33. Public Morals, seven members.
34. Public Utilities, eleven members.
35. Reapportionment, fifteen members.
36. Revenue and Taxation, thirteen members.
37. Revision and Printing, three members.
38. Roads and Highways, thirteen members.
39. Rules, five members.
40. Universities and Teachers' Colleges, nine members.

Schedules for Committee Meetings.

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

Quorum of Standing Committees.

10. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

No Committee Expenditures Permitted.

11. No member of any committee shall, except by resolution of the Senate, be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the Constitutional Recess, be permitted to visit State institutions for which appropriations are asked and shall be allowed his actual expenses while on such business.

SPECIAL DUTIES OF CERTAIN COMMITTEES.

Committee on Engrossment and Enrollment.

12. All Senate bills, constitutional amendments, and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The indications of new matter, omissions, or amendments appearing upon the printed bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements; and the original retained by the Senate. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

Engrossing and Enrolling Bills.

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor, and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

Committee on Rules.

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate, the bills concerning the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, whose action shall be announced without debate.

Committee on Contingent Expenses.

15. No money shall be expended out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.

Committee on Revision and Printing.

16. The Committee on Revision and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

OTHER SENATE OFFICERS.

Secretary of the Senate.

17. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

Custody of Bills and Papers.

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

Sergeant-at-Arms of the Senate.

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

Distribution of Printed Matter.

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

PREPARATION AND INTRODUCTION OF BILLS.

Introduction and First Reading.

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

Joint and Concurrent Resolutions and Constitutional Amendments.

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur after they have been reported by committee.

Introduction of Bills by a Committee.

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

Introduction of Bills after the Constitutional Recess.

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, nor shall the number to be introduced by any one member be limited.

BILLS IN COMMITTEES.

Reference of Senate Bills.

25. At the time of introduction the President shall first indicate to what committee a bill or resolution should be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

Order of Reference.

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Reference with Special Instructions.

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend.

Reference of Assembly Bills.

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay, whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

Reference of Appropriation Bills.

29. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for adjournment *sine die* shall in all cases whether originating in the Senate or coming from the Assembly be referred to the Committee on Finance.

Notice to Author of Bill.

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Committee Amendments to Bills.

31. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

Reports of Committees.

32. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

ORDER OF CONSIDERING BILLS.

Order of Making File.

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committees shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be

ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.

The General File.

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Special Order.

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Three Readings of Bills.

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision).

Ordering Bills to Third Reading.

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

Bills Considered During Last Seven Days

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll-call.

QUESTIONS AND MOTIONS.

Precedence of Motions During Debate.

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Provided, however, that during a call of the Senate, it may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

Amendment or Division of Questions.

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

Restriction as to Amendments.

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

Vote Required for Amendments.

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

PROCEDURE OF DEBATE.

Seconding and Announcement of Motion.

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the

President or any Senator, and read by the Secretary, before the same shall be debated.

Regulation as to Speaking.

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Securing of the Floor.

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Order in Debate.

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

The Previous Question.

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Executive Session.

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

VOTING BY SENATE.

Calling Ayes and Noes.

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Excuse from Voting.

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Reconsideration of Vote.

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator: *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution, has been passed or defeated, fourteen votes to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

When Bill Is Held for Reconsideration.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

When Bill Is Recalled for Reconsideration.

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Debate on Motion to Reconsider.

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

MESSAGES AND OTHER PAPERS.

Messengers from the Governor.

55. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

Messengers from the Assembly.

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

Consideration of Assembly Messages.

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

Reading of Papers.

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

CONTENTS OF SENATE JOURNAL.

Proceedings to be Printed.

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Titles of Bills to be Printed.

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

STATEMENT OF PETITIONS TO BE PRINTED.

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal, such petition, memorial, or resolution to be presented only by a Senator in regular session, and to be briefly explained by him.

Other Matter to Be Printed.

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.

LEGISLATIVE PRINTING.

Number of Bills Printed.

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

NUMBER OF JOURNALS PRINTED.

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly pagged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

Number of Other Documents Printed.

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Excess Printing Only on Written Order.

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

Form of Printing Amendments.

67. All bills amended shall immediately be reprinted; the new matter added by any amendments to be enclosed in heavy brackets, and the omission of any matter to be indicated by the insertion of heavy parentheses.

PERSONS ADMITTED TO THE FLOOR.

68. No persons except Assemblymen, state officers, Governors and ex-Governors of the states, members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, attaches when actually engaged in work for the Senate or a member thereof, and the wife or child of a member, shall be admitted within the Senate Chamber, except in the gallery, during the sessions of the Senate; *provided, however*, any other guest of any member may be admitted to the floor of the Senate, but to no other part of the floor than to a seat in the row of seats in front of the rail or to a seat at the desk of said member; and *provided, also*, that such admission of said guest shall be only by written permission of said member, countersigned by the President or President pro tempore, such permission being good only for the sessions of the day on which it is given, the names of such member and guest to be entered in the Journal when specifically requested by such member. At the convening of the Senate in the morning, or after recess, all present except those covered by this rule shall retire from the floor of the Senate. No one except the Sergeant-at-Arms or his deputies shall be allowed to remain in the lobby behind the rail at any time.

No Lolling in Senate Chamber.

69. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Maintaining of Order.

70. In cases of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

Smoking Within Senate Chamber.

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

MISCELLANEOUS PROVISIONS.

Duties of Members.

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have the power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Parliamentary Rules.

73. In all cases not provided for by these rules, or by the Joint Rules of Senate and Assembly, the authority shall be Robert's Rules of Order.

Suspension or Change of Rules.

74. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 13, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Senator Breed moved that the report and the proposed Standing Rules of the Senate be adopted.

The question being upon the adoption of the report and rules.

The roll was called, and the report and rules adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

APPOINTMENT OF STANDING COMMITTEES.

The President announced that he had appointed the Senate standing committees, as follows:

1. *Agriculture and Live Stock*—Boggs (Chairman), Arbuckle, Carr, Creighton, Inman, Lewis, Nelson, Osborne, Powers, Rush, Slater.
2. *Banking*—Hart (Chairman), Dennett, Eden, Jones, Murphy, Rominger, Swing, West.
3. *Building and Loan Associations*—Handy (Chairman), Carr, Jones, McDonald, Rominger.
4. *Civil Service*—Canepa (Chairman), Creighton, Jones, Osborne.
5. *Commerce and Navigation*—Osborne (Chairman), Breed, Dennett, Gates, E. J., Godsil, Hurley, Inman, Lewis, Nelson, Sample, Swing.
6. *Conservation*—Hurley (Chairman), Lewis, McDonald, Osborne, Rush, West.
7. *Constitutional Amendments*—Sample (Chairman), Allen, Burnett, Chamberlin, Gates, W. F., Harris, Johnson, M. B., Lyon, Sharkey.
8. *Contingent Expenses*—Lewis (Chairman), Creighton, Swing.
9. *Corporations*—Chamberlin (Chairman), Burnett, Carr, Creighton, Dennett, Hurley, Inman, Johnson, A. B., West.
10. *County Government*—Swing (Chairman), Canepa, Carr, Handy, Lyon, Powers, Sharkey, Slater, West.
11. *Drainage, Swamp and Overflowed Lands*—Rush (Chairman), Boggs, Godsil, Gray, Handy, Harris, Inman, Johnson, A. B., West.
12. *Education*—Harris (Chairman), Allen, Arbuckle, Boggs, Carr, Creighton, Eden, Ingram, Johnson, M. B., Jones, Murphy, Rominger, Sharkey, Slater.
13. *Elections*—Slater (Chairman), Boggs, Dennett, Godsil, Inman, Johnson, M. B., Jones, Powers, Rush, Sharkey, Swing.
14. *Engrossment and Enrollment*—Gates, W. F. (Chairman), Handy.
15. *Federal Relations*—Eden (Chairman), Breed, Gates, E. J., Harris, Johnson, A. B.
16. *Finance*—Gates, E. J. (Chairman), Allen, Arbuckle, Boggs, Breed, Canepa, Crowley, Godsil, Hart, Ingram, McDonald, Osborne, Rominger, Rush, Sharkey, Slater.
17. *Fish and Game*—Rominger (Chairman), Breed, Canepa, Creighton, Crowley, Gates, E. J., Gates, W. F., Gray, Handy, Hart, Hurley, Ingram, McDonald, Powers, Sharkey.
18. *Governmental Efficiency*—Johnson, M. B. (Chairman), Chamberlin, Dennett, Ingram, Jones, McDonald, Murphy, Nelson, Rominger.
19. *Hospitals and Asylums*—McDonald (Chairman), Allen, Crowley, Handy, Hart, Hurley, Osborne, Rush, Slater.
20. *Insurance*—Burnett (Chairman), Canepa, Carr, Crowley, Gray, Handy, Ingram, Lyon, Murphy, Nelson.
21. *Irrigation*—Dennett (Chairman), Handy, Harris, Powers, Rush, West.
22. *Judiciary*—Jones (Chairman), Burnett, Carr, Chamberlin, Dennett, Eden, Harris, Inman, Johnson, M. B., Lyon, Nelson, Sample, Swing, West.
23. *Labor and Capital*—Murphy (Chairman), Burnett, Canepa, Chamberlin, Creighton, Crowley, Gates, W. F., Hart, Inman, Lewis, Osborne.

24. *Manufactures*—Godsil (Chairman), Burnett, Gates, W. F., Murphy, Rominger.
 25. *Military Affairs*— (Chairman), Burnett, Hurley, Lewis, Slater.
 26. *Mines and Mining*—Johnson, A. B. (Chairman), Boggs, Gates, W. F., Ingram, Powers.
 27. *Motor Vehicles*—Sharkey (Chairman), Arbuckle, Boggs, Breed, Eden, Gates, E. J., Hart, Johnson, M. B., Jones, Lyon, Nelson, Osborne, Slater.
 28. *Municipal Corporations*—Carr (Chairman), Allen, Chamberlin, Godsil, Gray, Hurley, Lewis, Lyon, Sharkey.
 29. *Oil Industries*—Lyon (Chairman), Arbuckle, Canepa, Creighton, Crowley, Eden, Gates, E. J., Hart, Sharkey.
 30. *Prisons and Reformatories*—Allen (Chairman), Carr, Crowley, Godsil, Gray, Hart, McDonald, Rush, Sample.
 31. *Public Charities and Corrections*—Arbuckle (Chairman), Allen, Godsil, Johnson, A. B., Lewis, Murphy, Osborne.
 32. *Public Health and Quarantine*—Crowley (Chairman), Burnett, Canepa, Chamberlin, Gates, W. F., Gray, Johnson, A. B., Lyon, Powers.
 33. *Public Morals*—Creighton (Chairman), Arbuckle, Chamberlin, Dennett, Gray, Ingram, Swing.
 34. *Public Utilities*—Inman (Chairman), Chamberlin, Dennett, Eden, Harris, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Rominger.
 35. *Reapportionment*—Ingram (Chairman), Arbuckle, Breed, Burnett, Eden, Gates, W. F., Hart, Inman, Johnson, A. B., McDonald, Murphy, Nelson, Rominger, Sample, Swing.
 36. *Revenue and Taxation*—Nelson (Chairman), Allen, Boggs, Breed, Canepa, Gates, E. J., Harris, Johnson, A. B., Johnson, M. B., Jones, Lyon, Powers, Sample.
 37. *Revision and Printing*—Gray (Chairman), Hurley, West.
 38. *Roads and Highways*—Powers (Chairman), Allen, Crowley, Gates, W. F., Godsil, Gray, Handy, Ingram, McDonald, Rush, Sample, Swing.
 39. *Rules*—Breed (Chairman), Eden, Gates, E. J., Sample, Slater.
 40. *Universities and Teachers Colleges*—West (Chairman), Arbuckle, Boggs, Breed, Gates, E. J., Harris, Johnson, M. B., Nelson, Sample.

CONSIDERATION OF COMMITTEE REPORT.

The report of the Committee on Contingent Expenses and Mileage, presented this day, was upon motion taken up for consideration, the following being the report of such committee:

MR. PRESIDENT: Your Committee on Contingent Expenses and Mileage begs leave to report the following resolution and recommends its adoption:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

Senator	County	Mileage	Total at 10 cents
Allen, Newton M.	Los Angeles	894	\$89 40
Arbuckle, F. A.	Santa Barbara	894	92 00
Boggs, Frank S.	San Joaquin	96	9 60
Breed, A. H.	Alameda	168	16 80
Burnett, L. G.	San Francisco	180	18 00
Canepa, V. J.	San Francisco	180	18 00
Carr, Frank M.	Alameda	168	16 80
Chamberlin, Harry A.	Los Angeles	894	89 40
Creighton, John	Kern	574	57 40
Crowley, J. J.	San Francisco	180	18 00
Dennett, L. L.	Stanislaus	154	15 40
Eden, Walter	Orange	962	96 20
Gates, Dr. W. F.	Butte	172	17 20
Gates, E. J.	Los Angeles	910	91 00
Godsil, Charles W.	San Francisco	180	18 00
Gray, P. J.	San Francisco	180	18 00
Handy, Fred C.	Mendocino	300	30 00
Harris, M. B.	Fresno	238	23 80
Hart, D. H.	Los Angeles	894	89 40
Hurley, Edgar C.	Alameda	168	16 80

Senator	County	Mileage	Total at 10 cents
Ingram, Thomas.....	Nevada.....	154	\$15 40
Inman, J. M.....	Sacramento.....	2	20
Johnson, A. Burlingame.....	Los Angeles.....	912	91 20
Johnson, M. B.....	San Mateo.....	238	23 80
Jones, H. C.....	Santa Clara.....	256	25 60
Lewis, Charles H. V.....	Los Angeles.....	894	89 40
Lyon, C. W.....	Los Angeles.....	926	92 60
McDonald, Walter A.....	San Francisco.....	180	18 00
Murphy, Daniel C.....	San Francisco.....	180	18 00
Nelson, H. C.....	Humboldt.....	624	62 40
Osborne, A. E.....	Santa Clara.....	280	28 00
Powers, F. J.....	Modoc.....	832	83 20
Rominger, J. A.....	Los Angeles.....	918	91 80
Rush, Benj. F.....	Solano.....	80	8 00
Sample, E. P.....	San Diego.....	1,146	114 60
Sharkey, W. R.....	Contra Costa.....	124	12 40
Slater, H. W.....	Sonoma.....	180	18 00
Swing, Ralph E.....	San Bernardino.....	1,016	101 60
West, T. C.....	Alameda.....	168	16 80

OFFICERS.

Young, C. O., President.....	Alameda.....	168	\$16 80
Stoermer, Grace S., Secretary.....	Los Angeles.....	894	89 40
Miller, James A., Minute Clerk.....	San Francisco.....	180	18 00
Brown, Thos. A., Sergeant-at-Arms.....	San Francisco.....	180	18 00

LEWIS, Chairman.
CREIGHTON,
SWING.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By the Committee on Contingent Expenses and Mileage:

Resolved, That the Lieutenant Governor and each member of the Senate be and he is hereby allowed twenty-five dollars (\$25.00) for contingent expenses as provided by the constitution, payable out of the appropriation for the contingent expenses of the Senate.

LEWIS, Chairman.
CREIGHTON,
SWING.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Slater, Swing, and West—31.

NOES—None.

Also:

Resolved, That the persons hereinafter named be allowed the several sums set opposite their respective names, for services as stated, rendered to the Senate preliminary to the organization of the forty-fifth session, payable out of the Contingent Fund of the Senate, and the Controller be and he is hereby directed to draw his warrant on the Contingent Fund in favor of each of the several persons hereinafter named for the sums set opposite their respective names, and the Treasurer is directed to pay the same:

Grace S. Stoerner, Secretary, 4 days at \$10-----	\$40 00
James A. Miller, Minute Clerk, 1 day at \$9-----	9 00
G. Melvin Warren, Assistant Secretary, 1 day at \$9-----	9 00
Thos. A. Brown, Sergeant-at-Arms, 4 days at \$8-----	32 00
Mary L. Finney, Postmistress, 2 days at \$4-----	8 00
Miss V. C. Ray, Stenographer, 2 days at \$5-----	10 00
J. T. Young, Assistant Sergeant-at-Arms, 1 day at \$5-----	5 00
E. Herrmann, Assistant Sergeant-at-Arms, 1 day at \$5-----	5 00
Harry Caro, Assistant Sergeant-at-Arms, 1 day at \$5-----	5 00
Robt. Zarick, Page, 1 day at \$2.50-----	2 50

LEWIS, Chairman.
CREIGHTON.
SWING.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

RESIGNATION OF MINUTE CLERK.

SACRAMENTO, January 12, 1923.

To the Members of the Senate of the State of California.

GENTLEMEN: I hereby respectfully tender my resignation as Minute Clerk of the Senate, in order to return to my law practice in San Francisco.

In doing so I want to say to your honorable body and to each member thereof individually, how sincerely I regret to leave your service, after having been so closely identified with you every session of the Senate, beginning with that of the year 1913.

My resignation is tendered pursuant to my request made prior to my recent election that I be permitted to resign at the earliest possible moment.

Sincerely yours,

JAMES A. MILLER.

Remarks of Hon. A. H. Breed, President pro tempore of the Senate:

I can not let this occasion pass without saying something for Jimmie Miller. It would be impossible for any one to serve the state any better than has Jimmie Miller. The position he has occupied has been one of extreme exactness and one that has required a great deal of time and attention. I know over and over again, particularly during the latter part of the session, that Jimmie Miller has stayed at the desk until two or three o'clock in the morning to finish the minutes, and then has walked through the Capitol grounds to the State Printing Department so that that office could have the minutes out in time for us next morning. The devotion of Jimmie Miller to that work has been very refreshing and delightful, and I do wish this Senate to know of the services of Miller and I know that I speak for all when I say, "Jimmie, we wish you all possible success."

Remarks of Lieutenant Governor C. C. Young, President of the Senate:

I want to add a few words to what Senator Breed has said, as I had the pleasure of serving with Jimmie Miller two years earlier than Senator Breed, in the Assembly, beginning in 1911. He was devotedly attached to his work at the desk. We are mighty sorry to lose him.

MOTION.

On motion of Senator Slater, seconded by Senator Jones, the foregoing remarks were ordered printed in the Journal.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate at the termination of this legislative day:

James A. Miller, Minute Clerk	\$9 00 per day
John P. Rice, Assistant Minute Clerk	7 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Slater, Swing, and West—32.
 NOES—None.

NOMINATIONS FOR ELECTION OF MINUTE CLERK OF THE SENATE.

The President declared nominations for Minute Clerk of the Senate in order.

Senator Godsil placed the name of John P. Rice of San Francisco in nomination for Minute Clerk of the Senate, effective on January 13, 1923.

Senator Breed seconded the nomination of John P. Rice for Minute Clerk.

The President put the question, "Are there any other nomination for the office of Minute Clerk of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.
 NOES—None.

Whereupon the President declared John P. Rice duly and unanimously elected Minute Clerk of the Senate for the forty-fifth session of the California Legislature, effective January 13, 1923.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Mrs. Ruth Fuller, Assistant Engrossing and Enrolling Clerk	\$5 00 per day
Gertrude Thompson, Stenographer	5 00 per day
Hazel Stark, Stenographer	5 00 per day
J. E. Reynolds, Assistant Sergeant-at-Arms	5 00 per day
L. E. McDonald, Assistant Sergeant-at-Arms	5 00 per day
C. Olivier, Assistant Sergeant-at-Arms	5 00 per day
Paul Mason, Assistant at Desk	5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Biggs, Breed, Bennett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, W. F. Gates, E. J. Goolsil, Gray, Harris, Hurley, Inman, Johnson, A. B. Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Slater, and West—27.

NOES—None.

Also:

Resolved, That the following shall be the rules of procedure of the Senate in the introduction of bills on the first day when bills shall be introduced during the present session:

That the roll of Senators shall be called from "A" to "W" and then back from "W" to "A," and as each member's name is called he shall have the privilege of introducing one bill.

Resolution read, and on motion of Senator Breed adopted.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Arbuckle: Senate Bill No. 1—An act to add a new section to the Political Code, to be numbered 4247a, relating to County Record-ers of counties of the eighteenth class and the expenses of their offices.

Bill read first time, and referred to Committee on County Govern-ment.

By Senator Canepa: Senate Bill No. 2—An act to provide for the appropriation of certain submerged lands, lying along the waterfront of the City and County of San Francisco, for aquatic sports.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Crowley: Senate Concurrent Resolution No. 2—Approv-ing twelve certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general election held therein on the seventh day of November, 1922.

Referred to Committee on Municipal Corporations.

By Senator Eden: Senate Bill No. 3—An act to increase the number of judges of the Superior Court of the State of California, in and for the County of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Goolsil: Senate Bill No. 4—An act to amend section 7 of an act entitled "An act regulating private employment agencies, provid-ing for a license for the operation thereof and a fee therefor, provid-ing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and grant-ing the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Hart: Senate Bill No. 5—An act to repeal section 12 of an act entitled "An act to regulate the erection, construction, recon-struction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on

which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," approved May 31, 1917.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Hurley: Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the superior court in every county, and city and county in the state, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the juvenile court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 7—An act to add a new section to the Political Code to the numbered 1534*a*, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and repealing section 1534 of the Political Code.

Bill read first time, and referred to Committee on Education.

By Senator Johnson, A. Burlingame: Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums.

Bill read first time, and referred to Committee on County Government.

By Senator Jones: Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235*a*, relating to county recorders of counties of the sixth class and the expenses of their offices.

Bill read first time, and referred to Committee on County Government.

By Senator Lyon: Senate Bill No. 10—An act to authorize the establishment of third-year and fourth-year work in the University of California, southern branch, at Los Angeles, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Senator Osborne: Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Slater: Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated.

Bill read first time, and referred to Committee on Agriculture.

By Senator Swing: Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the county of San Bernardino, State of California.

Referred to Committee on Municipal Corporations.

By Senator Hurley: Senate Bill No. 13—An act to add a new section to the Political Code, to be numbered 3236, relating to preference on public contracts and furnishing supplies.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Godsil: Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Arbuckle: Senate Bill No. 15—An act to add a new section to the Political Code, to be numbered 4252½, relating to county recorders of counties of the twenty-third class and the expenses of their offices.

Bill read first time, and referred to Committee on County Government.

ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, January 15, 1923.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, January 15, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Godsil, Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

Quorum present.

LEAVES OF ABSENCE.

Senators Breed and Gates were, on motion of Senator Crowley, granted leave of absence for this day.

Senator Hart was, on motion of Senator Sample, granted leave of absence for this day.

Senator Rominger was, on motion of Senator Chamberlin, granted leave of absence for this day.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 12, 1923, the further reading was dispensed with, on motion of Senator Slater.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 15, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 2—Approving twelve certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CARR, Chairman.
GRAY.
ALLEN.
SHARKEY.
HURLEY.
LEWIS.
CHAMBERLIN.
LYON.

Senate Concurrent Resolution No. 2 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, January 15, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the county of San Bernardino, State of California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

CARR, Chairman.
GRAY.
ALLEN.
SHARKEY.
HURLEY.
LEWIS.
CHAMBERLIN.
LYON.

Senate Concurrent Resolution No. 3 ordered on file.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be, and he is hereby, directed and ordered to draw his warrant upon the Contingent Fund of the Senate in favor of the Secretary of the Senate for eighty-four dollars ninety-five cents (\$84.95), being one-half of the expenses incurred by the Joint Committee on Inaugural Ceremonies as itemized below:

Noack's Orchestra	-----	\$50 00
Gertrude Barry	-----	20 00
Rudolph Caffaro	-----	20 00
Printing program	-----	79 85

\$169 85

LEWIS, Chairman.
CREIGHTON.
SWING.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F. Gray, Handy, Harris, Hurley, Ingram,

Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.
 NOES—None.

By Senator Crowley:

Resolved, That the following named persons be, and they are hereby, appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

W. R. Lindersmith, Assistant Sergeant-at-Arms-----	\$5 00 per day
A. J. Haynes, Assistant Sergeant-at-Arms-----	5 00 per day
Merton Mallory, Clerk of Judiciary Committee-----	6 00 per day

Resolution read.

Senator Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Sharkey, Slater, Swing, and West—30.
 NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Boggs: Senate Bill No. 16—An act appropriating money to pay the claim of Eugene D. Graham against the State of California.
 Bill read first time, and referred to Committee on Finance.

By Senator Hurley: Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Boggs: Senate Bill No. 18—An act limiting the liability of members of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Senator Dennett: Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 20—An act appropriating money to widen that portion of the State highway in Tuolumne County, known as the Priest's Grade.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Johnson, A. B.: Senate Bill No. 21—An act to amend sections 3 and 7 of an act entitled "An act to regulate the use and

operations of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act."

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 22—An act providing for a tax on sales of gasoline; providing a method for the collection and disbursement thereof; limiting the uses to which moneys derived therefrom shall be applied and fixing penalties for the violation hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Lyon: Senate Bill No. 23—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280a and 1280b, relating to justification of bail.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 25—An act to amend section 739 of the Political Code, relating to the salaries of officers connected with the Supreme Court, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Ingram: Senate Bill No. 26—An act declaring and establishing a state highway between Downieville, Sierra County, and Sattley, Sierra County, over existing county roads passing through Sierra city, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Gray: Senate Bill No. 27—An act to amend section 15 of an act entitled "The Motor Vehicle Act," approved May 10, 1915, as amended, providing for an increase in weight limit when motor vehicles are equipped with cushion tires.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Handy: Senate Bill No. 28—An act declaring and establishing a State highway between the present State highway at or near Ukiah, and the Mendocino State Hospital at Talmage, Mendocino County, over existing county roads, and making an appropriation to carry out the provisions hereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Burnett: Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof;" and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," "approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and

counties, and to provide penalties for the violations thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

Bill read first time, and referred to Committee on Public Health and Quarantine.

The following resolutions were offered:

By Senator Slater: Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922.

Resolution referred to Committee on Municipal Corporations.

By Senator Boggs: Senate Concurrent Resolution No. 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922.

Resolution referred to Committee on Municipal Corporations.

ADJOURNMENT.

At eleven o'clock and thirty minutes a.m., on motion of Senator Jones, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, January 16, 1923.

The Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 15, 1923, the further reading was dispensed with, on motion of Senator Rush.

RESOLUTIONS.

By the Committee on Contingent Expenses:

Resolved, That the Secretary of the Senate be and he is hereby authorized to purchase for the use of the members of the Senate, forty-one (41) sets of the 1921 edition of Deering's Pocket Codes of the State of California; also forty-one (41) volumes of Robert's Rules of Order; all of said sets and volumes to be paid for out of the Contingent Fund of the Senate.

Also, That the Secretary of the Senate be and he is hereby authorized and directed to deliver one of said sets of codes together with one volume of said rules to each Senator.

LEWIS, Chairman.
CREIGHTON.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of \$200.00 for postage for the Press Mailing Department. The same to be payable out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same.

LEWIS, Chairman.
CREIGHTON.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 16, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 2 Approving 12 certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

RESOLUTIONS.

By Senator Breed:

Resolved, That W. S. Street, stenographer at \$5.00 per day, be transferred to the position of Clerk of the Finance Committee, at \$6.00 per day.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Also:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Mrs. Frank Linneen, Stenographer-----	\$5 00 per day
E. Hermann, Press Mailing Clerk-----	4 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—33.

NOES—None.

STATEMENT BY THE PRESIDENT.

The President announced the following proposed schedule of committee meetings, and asked that it be printed in the Journal:

SCHEDULE OF COMMITTEE MEETINGS.

MONDAY.

Afternoon: Agriculture, Banking, Constitutional Amendments.

Evening: Judiciary, Hospitals, Mines.

TUESDAY

Morning: Roads and Highways, Motor Vehicles, Corporations.

Afternoon: Oil Industries, Drainage, Governmental Efficiency, Military Affairs.

Evening: Judiciary, Fish and Game, Public Charities.

WEDNESDAY.

Morning: Labor and Capital, Universities and Teachers Colleges, Building and Loan Associations.

Afternoon: Reapportionment, Municipal Corporations, Irrigation, Civil Service.

Evening: Judiciary, Finance.

THURSDAY.

Morning: Public Utilities, County Government, Prisons.

Afternoon: Revenue and Taxation, Public Morals, Conservation, Manufactures.

Evening: Education, Commerce and Navigation, Public Health.

FRIDAY.

Morning: Elections, Insurance, Federal Relations.

Afternoon: Reserved for special or irregular committee meetings.

Evening: Judiciary, Finance.

NOTE. Morning meetings at 9 o'clock unless otherwise arranged. Afternoon meetings immediately after adjournment of afternoon session, or, in case of half day sessions, at 2 o'clock. Evening meetings at 8 o'clock.

CONSIDERATION OF DAILY FILE.

Senate Concurrent Resolution No. 2—Approving twelve certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922.

Resolution read.

Senator Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Senate Concurrent Resolution No. 2 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Eden: Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Allen: Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure, to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced.

Bill read first time, and referred to Committee on Judiciary.

By Senator West: Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Osborne: Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Inman: Senate Bill No. 36—An act to amend section 234 of the Code of Civil Procedure, relating to jury lists.

Bill read first time, and referred to Committee on County Government.

By Senator Sharkey: Senate Bill No. 37—An act to add a new section, to be numbered section 19c25, to an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing

for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 38—An act to amend section 4254 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Dennett: Senate Bill No. 39—An act to amend an act entitled: "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 28 of said act, and by repealing section 32½ of said act.

Bill read first time, and referred to Committee on Irrigation

By Senator Chamberlin: Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Jones: Senate Bill No. 42—An act to add a new section to the Political Code, to be numbered 737f, relating to salaries of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency.

The following resolutions were offered:

By Senators Slater and Boggs: Senate Joint Resolution No. 1—Relative to the insufficiency of transportation.

Senate Joint Resolution No. 1 referred to Committee on Federal Relations.

By Senator West: Senate Constitutional Amendment No. 1—A resolution proposing to the people of the State of California an amendment to article IX of the constitution of the State, by adding a new section thereto to be known as section 14 of said article IX, relating to the taxation of the property of educational and scientific institutions.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Swing: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 23 of article VI, relating to the eligibility of judges for office.

Constitutional amendment referred to Committee on Constitutional Amendments.

ADJOURNMENT

At ten o'clock and forty-three minutes a.m., on motion of Senator Breed the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, January 17, 1923.

The Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Arthur F. Ritchey of First Christian church.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 16, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF THE FLOOR.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the members of

Eight B class of the Sierra school:

Gladys Williams, Helen Carragher, John Polli, Robert Hill, Wilbur White, Cecil Shultz, Edwin Ross, Joe Rohrer, Hattie Ely, Alice Gardner, Marie Bouillon, Shirley Myers, Velma Evans, Clothilde Geisendorfer, Irma Carragher, Ruth Heisler, Winifred Davis, Marion Koch, Hilma Mills, Thelma Stebbins, Ellis Wilkins, John Wolett, Miss Peterson.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to E. H. Edwards, Weaverville, California.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 17, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 32—An Act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership, 9; committee vote—Ayes, 8; absent, 1.

RUSH, Chairman.

Senate Bill No. 32 ordered on file for second reading.

PROPOSED AMENDMENT TO SENATE RULES.

The following suggested amendment to Senate Rules was submitted by the Committee on Rules, and ordered printed in the Journal:

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at 11 o'clock a.m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of 1 o'clock p.m. until the hour of 2 o'clock p.m., unless otherwise ordered by a vote of the Senate.

RE-REFERENCE OF SENATE BILL.

On motion of Senator Jones, Senate Bill No. 3 was re-referred from Committee on Judiciary to Committee on Governmental Efficiency.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Lillian Davey, Stenographer	\$5 00 per day
Rose Hoey, Stenographer	5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

By Senator Jones:

WHEREAS, The laws of California, in a statute enacted at the session of 1921, specifically provide for publicity of contributions and expenditures made for the pur-

pose of influencing electors for or against any proposition voted upon throughout the State, and require the filing with the Secretary of State by all persons, committees, firms, associations, corporations or other groups of persons, receiving in excess of \$1,000 for campaign expenses, of itemized, detailed and verified statements of receipts and expenditures, and

WHEREAS, Said laws are based upon wise, sound and salutary public policy in enabling the citizens of California to know what associations, organizations, persons and agencies influence the passage or defeat of direct legislation by means of the expenditure of money, there being no greater menace in the government or political life of California than the influencing of legislation through the hidden, secret and concealed expenditures of large sums of money, and

WHEREAS, No statements of receipts and expenses have been filed with the Secretary of State as required by law in the case of numerous propositions voted upon by the electors of the State in the last general election, held on November 7, 1922, and

WHEREAS, It is currently charged that large sums of money, greatly in excess of said limit of \$1,000, were received and expended by persons, committees, firms, associations, corporations and groups of persons to secure the passage or defeat of such propositions; therefore, be it

Resolved by the Senate of the State of California. That a special committee of five (5) members of the Senate be appointed by the President of the Senate to investigate the receipts and expenses of such persons, committees, firms, associations, corporations and groups of persons, and upon the conclusion of such investigation to report to the Senate the results thereof, together with such recommendations as the committee shall deem proper.

Resolved, further, That said committee be, and it hereby is, authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subjects hereinbefore enumerated or recited, and to that end to employ all necessary clerical, expert and legal assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII of chapter II, title I, part III of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Senate is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof; that said committee be given leave to sit during sessions of the Senate and during the recess; that it report as speedily as possible the results of its investigation to the Senate, with such recommendations as it may deem proper, relative to abuses or wilful violation, if any of said law, and the particulars, if any, wherein said law should be strengthened providing for publicity of such contributions and expenditures.

Resolved. That the sum of three thousand dollars (\$3,000.00) be and the same hereby is made available for the purpose of defraying the expenses of such committee in said investigation, to be paid from the contingent fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution referred to Committee on Elections

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator West: Senate Bill No. 43—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, relating to the insurance of school districts from liability for injury to pupils.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 44—An act relating to liability for injury to school children.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

Bill read first time, and referred to Committee on County Government.

By Senator Creighton: Senate Bill No. 46—An act to amend section 1 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

Bill read first time, and referred to Committee on Education.

By Senators Hart, Johnson, A. B., and Rominger: Senate Bill No. 47—An act entitled "An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts."

Bill read first time, and referred to Committee on Reapportionment.

Also: Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Sharkey: Senate Bill No. 49—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais Forest Fire District.

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 51—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael to Point San Quentin, in Marin County, to be a public highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Inman: Senate Bill No. 52—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on

which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948,' approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof,' and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled 'An act to regulate the erection, construction, reconstruction, moving, alterations, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429,' and approved May 31, 1917, Statutes of California the violation thereof, and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Murphy: Senate Bill No. 53—An act to assist persons of moderate means in acquiring lots of ground and building houses thereon, such lots and houses to become homesteads and to be sold on the installment plan, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 54—An act providing for the manufacture, distribution, use and sale of cement and cement products by the Department of Public Works of the State of California; defining the powers and duties of said board relative thereto, and making an appropriation to carry out the purposes of this act.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 55—An act to aid in the procuring to the State of California, in perpetuity, groves of sequoia gigantea, and sempervirens trees, otherwise known as the redwoods, for the use of the public; to provide that money may be paid into the State treasury by individuals for the purpose of purchasing tracts of land containing trees,

and providing that when such sums of money are paid into the State treasury, it shall be the duty of the Governor to order the State Engineer to appraise said properties, and that, if the State Engineer shall report to the Governor that such sum of money as has been deposited in the State treasury is adequate in his opinion for the purchase of said grove or groves of trees, the Governor shall order the Attorney General to commence proceedings and take measures for the condemnation of said lands containing said grove or groves of trees for public use; to provide that in such condemnation action, the Attorney General may associate or appoint, as a Deputy Attorney General for the purpose of this suit, without public expense, any attorney that shall be suggested to him by the person depositing the money in the State treasury; to provide that any land or grove of trees, so coming into the control of the State may, at the request of the person depositing the money in the State treasury, be known thereafter by any name, designated by the donor of said money; to provide that, in the event of a condemnation suit, as herein provided, a judgment of the court or verdict of a jury shall find a value for said land of a greater amount than that deposited in the State treasury, the depositor of the money shall deposit an additional sum, making the sum in the State treasury equal to the judgment so found, said condemnation of said lands for the benefit of the people of the State of California shall be consummated; but providing that, should said depositor not deposit an additional sum in the treasury to meet said judgment that, in that event, all costs of said proceedings of the court, including the expenses of the defendant or defendants, shall be paid out of the sum of money on deposit in the treasury and all proceedings in the courts for condemnation shall be dismissed and title restored to the original owner, the court in which said proceedings are held, notwithstanding any judgment, having the right, at the request of the Attorney General, to dismiss said proceeding and extinguish said judgment; to provide that, on said proceedings being dismissed, after expenses paid, the Treasurer of the State of California, on the certificate of the Attorney General, signed by the Governor, shall return the remainder of any fund, so deposited, to the person depositing the same.

Bill read first time, and referred to Committee on Conservation.

By Senator Slater: Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano.

Bill read first time, and referred to Committee on Finance.

By Senator Canepa: Senate Bill No. 57—An act to add a new section to the Political Code, to be numbered 1765, relating to plans for high school buildings.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 58—An act to amend section 1461 of the Code of Civil Procedure, relating to estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Dennett: Senate Bill No. 59—An act to add a new section to the Civil Code, to be numbered 1779, relating to warranty on sale of cattle for dairy purposes.

Bill read first time, and referred to Committee on Agriculture.

By Senator Lyon: Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

ADJOURNMENT.

At ten o'clock and forty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., of Thursday, January 18, 1923.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, January 18, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 17, 1923, the further reading was dispensed with, on motion of Senator Rush.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 2—Approving twelve certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Senate Concurrent Resolution No. 2 ordered to enrollment.

AMENDMENT TO RULES.

Senator Breed moved that Senate Rule No. 1 be amended, as previously recommended by Committee on Rules, to read as follows:

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at 11 o'clock a. m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of 1 o'clock p.m. until the hour of 2 o'clock p.m., unless otherwise ordered by a vote of the Senate.

The President directed the Secretary to call the roll upon the adoption of the above amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 17, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred the following resolution by Senator Jones:

RESOLUTION.

WHEREAS, The laws of California, in a statute enacted at the session of 1921, specifically provide for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State, and require the filing with the Secretary of State by all persons, committees, firms, associations, corporations or other groups of persons, receiving in excess of \$1,000 for campaign expenses, of itemized, detailed and verified statements of receipts and expenditures, and

WHEREAS, Said laws are based upon wise, sound and salutary public policy in enabling the citizens of California to know what associations, organizations, persons and agencies influence the passage or defeat of direct legislation by means of the expenditure of money, there being no greater menace in the government or political life of California than the influencing of legislation through the hidden, secret and concealed expenditures of large sums of money, and

WHEREAS, No statements of receipts and expenses have been filed with the Secretary of State as required by law in the case of numerous propositions voted upon by the electors of the State in the last general election, held on November 7, 1922, and

WHEREAS, It is currently charged that large sums of money, greatly in excess of said limit of \$1000, were received and expended by persons, committees, firms, associations, corporations and groups of persons to secure the passage or defeat of such propositions; therefore, be it

Resolved by the Senate of the State of California, That a special committee of five (5) members of the Senate be appointed by the President of the Senate to investigate the receipts and expenses of such persons, committees, firms, associations, corporations and groups of persons, and upon the conclusion of such investigation to report to the Senate the results thereof, together with such recommendations as the committee shall deem proper.

Resolved further, That said committee be, and it hereby is, authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subjects hereinbefore enumerated or recited, and to that end to employ all necessary clerical, expert and legal assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII of chapter II, title I, part III of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Senate is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof; that said committee be given leave to sit during sessions of the Senate and during the recess; that it report as speedily as possible the results of its investigation to the Senate, with such recommendations as it may deem proper, relative to abuses or wilful violation, if any, of said law, and the particulars, if any, wherein said law should be strengthened providing for publicity of such contributions and expenditures.

Resolved, That the sum of three thousand dollars (\$3,000.00) be and the same hereby is made available for the purpose of defraying the expenses of such committee in said investigation, to be paid from the contingent fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certi-

fied to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same: Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes 10; absent -1.

SLATER, Chairman.

CONSIDERATION OF RESOLUTION.

Senator Jones moved the adoption of the above resolution.

AMENDMENT OFFERED.

Senator McDonald moved that the resolution be so amended as to provide that the committee to be appointed under its provisions consist of three Senators voting in favor of the resolution and of two voting against it.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators McDonald, Godsil and Arbuckle, upon the adoption of the amendment. Whereupon the Secretary was directed to call the roll.

The roll was called, and the amendment rejected by the following vote:

AYES—Senators Arbuckle, Burnett, Canepa, Chamberlin, Gates, W. E., Godsil, Gray, Hurley, McDonald, and West—10.

NOES—Senators Allen, Boggs, Breed, Carr, Creighton, Eden, Gates, E. J., Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Neison, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—27.

AMENDMENT OFFERED.

Senator Chamberlin moved to amend the above resolution to read as follows:

RESOLUTION.

WHEREAS, The Laws of California, in a statute enacted at the session of 1921, specifically provide for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State, and require the filing with the Secretary of State by all persons, committees, firms, associations, corporations or other groups of persons, receiving in excess of \$1000 for campaign expenses, of itemized, detailed and verified statements of receipts and expenditures, and

WHEREAS, Said laws are based upon wise, sound and salutary public policy in enabling the citizens of California to know what associations, organizations, persons and agencies influence the passage or defeat of direct legislation by means of the expenditure of money, there being no greater menace in the government or political life of California than the influencing of legislation through the hidden, secret and concealed expenditures of large sums of money, and

WHEREAS, It is reported that no statements of receipts and expenses have been filed with the Secretary of State as required by law in the case of numerous propositions voted upon by the electors of the State in the last general election, held on November 7, 1922, and

WHEREAS, It is currently charged that large sums of money, greatly in excess of said limit of \$1000, were received and expended by persons, committees, firms, associations, corporations and groups of persons to secure the passage or defeat of such propositions; therefore be it

Resolved, That the Attorney General be and is hereby instructed to investigate the reported violations of such law and institute such proceedings as he may determine necessary for the arrest and conviction of all persons, firms, committees, associations, corporations and groups of persons who have violated said law.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Chamberlin, Lyon and Rominger, upon the adoption of the amendment. Whereupon the Secretary was directed to call the roll.

The roll was called, and the amendment rejected by the following vote:

AYES—Senators Arbuckle, Burnett, Chamberlin, Gates, E. J., Godsil, Gray, Hart, Hurley, Johnson, A. B., Lyon, McDonald, Rominger, and West—13.

NOES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, W. F., Handy, Harris, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—24.

ADOPTION OF RESOLUTION.

The Secretary was directed to call the roll upon the adoption of the Senate resolution reported from Committee on Elections this day.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Eden, Gates, W. F., Godsil, Handy, Harris, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—25.

NOES—Senators Arbuckle, Breed, Burnett, Chamberlin, Gates, E. J., Gray, Hart, Hurley, Johnson, A. B., Lyon, Rominger, and West—12.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named person be, and she is hereby, appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

Miss H. Guyer, Stenographer..... \$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

ASSIGNMENT OF COMMITTEE ROOMS.

Senator Breed presented the following assignment of committee rooms to the Standing Committees of the Senate, as prepared by the Committee on Rules, and requested that it be printed in the Journal:

Committee	Room
1. Agriculture	104
2. Banking	100
3. Building and Loan Associations	94
4. Civil Service	96
5. Commerce and Navigation	99
6. Conservation	100
7. Constitutional Amendments	94
8. Contingent Expenses	96
9. Corporations	104
10. County Government	102
11. Drainage, Swamp and Overflowed Lands	102
12. Education	101
13. Elections	105
14. Engrossment and Enrollment	97
15. Federal Relations	104
16. Finance	101
17. Fish and Game	101
18. Governmental Efficiency	98
19. Hospitals and Asylums	96
20. Insurance	99
21. Irrigation	99
22. Judiciary	107

23. Labor and Capital.....	100
24. Manufactures.....	94
25. Military Affairs.....	100
26. Mines and Mining.....	98
27. Motor Vehicles.....	105
28. Municipal Corporations.....	100
29. Oil Industries.....	107
30. Prisons and Reformatories.....	104
31. Public Charities and Corrections.....	98
32. Public Health and Quarantine.....	100
33. Public Morals.....	102
34. Public Utilities.....	94
35. Reapportionment.....	102
36. Revenue and Taxation.....	104
37. Revision and Printing.....	97
38. Roads and Highways.....	99
39. Rules.....	52
40. Universities and Teachers' Colleges.....	105

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 16, 1923.

MR. PRESIDENT. Your Committee on Engrossment and Enrollment has examined the following Senate Concurrent Resolution No. 3, approving certain amendments to the charter of the county of San Bernardino, State of California, and reports that the same has been correctly engrossed.

GATES, W. F., Chairman.

Senate Concurrent Resolution No. 3 ordered on file.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the county of San Bernardino, State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES. Senators Allen, Arbuckle, Broad, Canepa, Carr, Chamberlin, Eden, Gates, W. F., Gates, E. J., Goolsby Gray, Harris, Hart, Hartley, Ingram, Linn, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES. None.

Senate Concurrent Resolution No. 3 ordered transmitted to the Assembly.

SECOND READING OF SENATE BILL.

Senate Bill No. 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act.

Bill read second time, ordered engrossed, and on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received, and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 17, 1923.

MR. PRESIDENT. Your Committee on Engrossment and Enrollment has examined Senate Bill No. 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act, and reports that the same has been correctly engrossed.

GATES, W. F., Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Eden:

Resolved, That Senate Bill No. 32 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and section 15 of article IV of the constitution suspended by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 32.

SENATE BILL NUMBER THIRTY-TWO.

An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act.

Bill read third time.

Section 4, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Lewis: Senate Bill No. 61—An act to provide for the selection, location, purchase or acquisition of a site for a State building in the city of Los Angeles; to provide for the construction, equipment,

and furnishing of a State building thereon, and for the improvement of said site; to prescribe the use or occupancy of said building; creating a commission to locate and acquire said site and to construct said building, with power to determine the respective amounts to be paid for said site, for the improvement thereof, for the construction of said building and for furnishing or equipping the same; providing for the issuance and sale of State bonds to be known as "Los Angeles State Building Bonds," to provide a fund therefor; establishing said fund, appropriating the proceeds thereof for said purpose and directing the manner in which the same shall be expended; creating a sinking fund for the payment of said bonds and interest thereon; making an appropriation therefor, defining the duties of State officers in relation thereto, and providing for the collection of revenue for said purpose; making an appropriation of \$2,500 for the expense of preparation of said bonds and providing for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924.

Bill read first time, and referred to Committee on Finance.

By Senator Powers: Senate Bill No. 62—An act making an appropriation for the construction and completion of the unimproved portions of the State highway between the town of Alturas in Modoc County, and the Nevada-California State line, via Cedarville.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Nelson: Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869a, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary against the grantee or grantees of the person so designated "trustee" or "as trustee."

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 64—An act to add a new section to the Penal Code, to be numbered 632d, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Nelson: Senate Bill No. 65—An act to further divide the State into fish and game districts by establishing a district in Humboldt County, California, specially suited for propagation of game, and to provide for the management and protection thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737dd, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure relative to sales of property by guardians.

Bill read first time, and referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

Bill read first time, and referred to Committee on Elections.

By Senator Sample: Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 70—An act to amend section 2605 of the Political Code relating to San Diego Bay.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 71—An act to amend section 627 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 72—An act to amend section 4234 of the Political Code relating to the salaries of officers and expenses of officers in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rush: Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the First Agricultural District.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Lyon: Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XI (*b*), relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 75—An act to amend section 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or

for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeiture imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act." approved May 10, 1913, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization of municipal corporations," approved March 13, 1883, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Sharkey: Senate Bill No. 78—An act to provide for the safety and protection of railroad employees by prohibiting railroads from requiring employees to ride on top of moving freight cars except in certain cases; and prescribing penalties for violations of the provisions hereof.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Swing: Senate Bill No. 79—An act making an appropriation for the use of the State Highway Commission to augment the funds available for the completion of the highway between San Bernardino and Needles.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Burnett: Senate Bill No. 80—An act to fix and determine titles to real property held subject to rights of way not definitely located.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hurley: Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities, and cities and counties, for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, seawall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 82--An act to regulate the occupation of barbering, to create a state board of examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

The following resolutions were offered:

By Senator Lewis: Senate Constitutional Amendment No. 3--A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 2 of article IV thereof, relating to the sessions and business of the Legislature.

Resolution referred to Committee on Constitutional Amendments.

By Senator Chamberlin: Senate Concurrent Resolution No. 6--Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922.

Resolution referred to Committee on Municipal Corporations.

By Senator Murphy: Senate Joint Resolution No. 2--Relative to the endorsement of the "Lehlbach Bill," H. R. number 13136, providing federal pensions for thirty years of service regardless of the age of the employee.

Resolution referred to Committee on Federal Relations.

ADJOURNMENT.

At one o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, January 19, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, W. F. Godsil, Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West--32.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Slater, granted leave of absence for this day.

Senator Gates was, on motion of Senator Breed, granted leave of absence for this day and for Monday, January 22, 1923.

Senators Rominger and Hart were, on motion of Senator Chamberlin, granted leave of absence for this day.

Senator Dennett was, on motion of Senator Harris, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 18, 1923, the further reading was dispensed with, on motion of Senator Rush.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, January 19, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership: 11; committee vote: Ayes: 7; absent: 4.

OSBORNE, Chairman.

Upon the request of Senator Hurley, unanimous consent was granted to place Senate Bill No. 17 immediately upon second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILL.

Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "subway" and insert in lieu thereof the word "bridge".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

APPOINTMENT OF SPECIAL COMMITTEE ON INVESTIGATION.

Pursuant to the resolution of Senator Jones adopted Thursday, January 18, 1923, providing for a committee of five to investigate reported evasions of a statute of 1921, providing for "publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State," the President appointed the following as members of the committee: Senators Jones, chairman, Eden, Harris, Nelson, and Rominger.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Jones: Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

Bill read first time, and referred to Committee on Irrigation.

By Senator Powers: Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

Bill read first time, and referred to Committee on Public Utilities.

By Senators Harris and Inman: Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, relating to nonprofit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Campa: Senate Bill No. 86—An act to amend section 24 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Allen: Senate Bill No. 87—An act to amend section 1333 of the Political Code, relating to the filling of vacancies which may occur in the representation of the State of California in the United States Congress.

Bill read first time, and referred to Committee on Elections.

By Senator Gates, W. F.: Senate Bill No. 88—An act to appropriate money for the use of the State Department of Public Works to construct and improve that particular portion of an existing State highway lying between Butte City in Glenn County and a point on the present State highway in Butte County between three miles northerly of the town of Biggs.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Powers: Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley Irrigation District under the provisions of an act of the Legislature of the State of California, approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to

provide for the distribution of water for irrigation purposes," as amended.

Bill read first time, and referred to Committee on Irrigation.

By Senator Murphy: Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Harris: Senate Bill No. 91—An act to add a new section to be numbered 57a to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled, "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921.

Bill read first time, and referred to Committee on Irrigation.

By Senator Inman: Senate Bill No. 92—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 114, limiting the fees charged and collected by private employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

The following resolution was offered:

By Senator Murphy: Senate Joint Resolution No. 3—Relative to the endorsement of H. R. 13382; to increase the compensation of customs laborers.

Senate joint resolution referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, JEDNEY 19, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

CARR, Chairman.

Senate Concurrent Resolution No. 4 ordered to engrossment.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CARR, Chairman.

Senate Concurrent Resolution No. 5 ordered to engrossment.

ADJOURNMENT.

At eleven o'clock and twenty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, January 22, 1923.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, January 22, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, W. F., Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 19, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator Rominger, granted leave of absence for this day.

Senator Murphy was, on motion of Senator Slater, granted leave of absence for this day.

Senator Gray was, on motion of Senator Powers, granted leave of absence for this day.

Senator Hart was, on motion of Senator Johnson, A. B., granted leave of absence for this day.

Senator Gates, E. J., was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF THE FLOOR.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended R. N. Hayden, of Ventura County.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Jasper Barry of Ventura County.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. H. Breed, Jr., of Piedmont.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mayor Davie of Oakland.

On request of Senator Osborne, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Albert C. Crawford of Palo Alto.

SECRETARY JOSEPH A. BEEK AT THE DESK.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attachés, and his name be stricken from the payroll of the Senate:

H. J. Powers, Stenographer,	\$5.00 per day
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Resolution carried.

Also:

Resolved, That the following named person be, and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

Miss Ruby Frazier, Stenographer	\$5.00 per day
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Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Donnett, Eden, Gates, W. F., Handy, Harris, Hurley, Johnson, A. B., Lewis, Lyon, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—24.

NOES—None.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 22, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following Senate Concurrent Resolution No. 2—Approving twelve certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922, and reports that the same has been correctly enrolled, and presented the same to the Governor on this nineteenth day of January, 1923, at 1 o'clock and 20 minutes p.m.

GATES, W. F., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following Senate Bill No. 17—An act to amend section four of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911—and reports that the same has been correctly engrossed.

GATES, W. F., Chairman.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Harris: Senate Bill No. 93—An act authorizing and empowering the Superintendent of Public Instruction to sell the property in the county of Fresno now occupied and used by the Fresno Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Crowley: Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Ingram: Senate Bill No. 95—An act to amend section 2 of an act entitled, "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

Bill read first time, and referred to Committee on Judiciary.

By Senator Allen: Senate Bill No. 97—An act to amend section 4300f of the Political Code, relating to fees of jurors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 98—An act authorizing the State Board of Control to lease certain land belonging to the State of California, situate in the county of Los Angeles.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 99—An act to amend section 1 of an act entitled, "An act authorizing municipal corporations other than freeholder charter cities, to levy and collect a tax for park, music and advertising purposes," approved April 10, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 100—An act appropriating money to pay the claim of Williard H. Stimson and Son.

Bill read first time, and referred to Committee on Finance.

By Senator Eden: Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Sample: Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools.

Bill read first time, and referred to Committee on Education.

By Senator Lewis: Senate Bill No. 103—An act to provide for the erection and construction of State buildings for the purpose of housing attaches and employees of the State and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Dennett: Senate Bill No. 104—An act to amend section 1668 of the Civil Code, relating to unlawful contracts.

Bill read first time, and referred to Committee on Judiciary.

The following resolutions were offered:

By Senator Gates, W. F.: Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the County of Butte, State of California.

Senate Concurrent Resolution No. 7 referred to Committee on County Government.

By Senator Johnson, M. B.—Senate Concurrent Resolution No. 8—Approving the charter of the city of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, one thousand nine hundred twenty-two.

Senate Concurrent Resolution No. 8 referred to Committee on Municipal Corporations.

By Senator Lewis: Senate Constitutional Amendment No. 4—A resolution proposing to the people of the State of California to amend section 2 of article IV of the constitution of the State of California relative to sessions of the Legislature.

Senate Constitutional Amendment No. 4 referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relating to senatorial and assembly districts.

Senate Constitutional Amendment No. 5 referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILL.

Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Eden, Gates, W. F., Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson,

M. B., Jones, Lewis, Lyon, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 17 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Eden, Gates, W. F., Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 22, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 6—Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; noes—none; absent—2.
CARR, Chairman.

Ordered on file for third reading.

RECESS.

At eleven o'clock and twenty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess for ten minutes.

RECONVENED.

At eleven o'clock and thirty minutes a.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 22, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922:

Also: Senate Concurrent Resolution No. 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922;

And reports that the same have been correctly engrossed.

GATES, W. F., Chairman.

CONSIDERATION OF DAILY FILE—(RESUMED).

Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California,

ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, W. F., Handy, Harris, Ingram, Johnson, A. B., Jones, Lewis, Lyon, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Senate Concurrent Resolution No. 4 ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 5 Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, W. F., Handy, Harris, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Senate Concurrent Resolution No. 5 ordered transmitted to the Assembly.

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, January 23, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, W. F., Godsil, Gray, Handy, Harris, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 22, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Hurley was, on motion of Senator West, granted leave of absence for this day.

Senator Chamberlin was, on motion of Senator Sample, granted leave of absence for this day.

Senators Gates and Hart were, on motion of Senator Breed, granted leave of absence for this day.

Senator Murphy was, on motion of Senator Crowley, granted leave of absence for this day.

PRIVILEGE OF THE FLOOR.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Clarence Pratt, Camino.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Ingram:

WHEREAS, There has been introduced into the Legislature a measure for the reading of the Bible in the public schools; and

WHEREAS, The Bible contains the record of the progressive development and evolution of human knowledge of God; and

WHEREAS, The Bible is recognized as the world's best literature, without knowledge of which there can be no education,

We, the undersigned citizens of California respectfully petition the California State Senate to enact appropriate constitutional legislation looking toward the teaching of the Bible in the public schools.

IVAN MELVILLE TERWILLIGER,

And 21 others, all of Quincy, Cal.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on January 22 passed as case of urgency Senate Bill No. 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Chief Clerk.

Senate Bill No. 32 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 23, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 8—Approving the charter of the city of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1922—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; noes—none.

CARR, Chairman.

Senate Concurrent Resolution No. 8 ordered on file.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 23, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 18—An act limiting the liability of members of boards of supervisors

--has had the same under consideration, and respectfully reports the same back and recommends that same be re-referred to Committee on Judiciary, without recommendation.

Committee membership: 9; committee vote: Ayes: 7; noes: none.

SWING, Chairman.

Senate Concurrent Resolution No. 8 re-referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 8. An act authorizing boards of supervisors of counties to establish and maintain museums has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 9; committee vote: Ayes: 7; noes: none.

SWING, Chairman.

Senate Bill No. 8 ordered to second reading file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 23, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 6. Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922 and reports that the same has been correctly engrossed.

GATES, W. F., Chairman.

Senate Concurrent Resolution No. 6 ordered on file.

CONSIDERATION OF DAILY FILE.

READING OF SENATE CONCURRENT RESOLUTION NUMBER SIX.

Senate Concurrent Resolution No. 6—Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Gates, W. F., Godsil, Gray, Handy, Ingram, Johnson, A. B., Johnson, M. E., Lewis, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Breed: Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Banking.

By Senator Dennett: Senate Bill No. 107—An act to add a new section to the Political Code to be known as section 737*p* relative to the salaries of the superior judges of Stanislaus County.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crowley: Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

Bill read first time, and referred to Committee on Elections.

By Senator Inman: Senate Bill No. 109—An act to control the possession, sale, and use of pistols and revolvers, to provide penalties, and for other purposes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 110—An act to amend section 1591 of the Political Code, relating to the withdrawal of school districts, or a portion of any school district, from union or joint union school districts.

Bill read first time, and referred to Committee on Education.

By Senator Gates, W. F.: Senate Bill No. 111—An act to amend section 1741 of the Political Code, relating to powers and duties of high school boards.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 112—An act to amend section 2192 of the Political Code, relating to the Sonoma Home for Feeble Minded.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Sample: Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code.

Bill read first time, and referred to Committee on Judiciary.

By Senator Arbuckle: Senate Bill No. 114—An act to add a new section to the Political Code to be numbered section 1733*b* relating to the change of boundaries of high school districts.

Bill read first time, and referred to Committee on Education.

The following resolutions were offered:

By Senator Breed: Senate Concurrent Resolution No. 9—Relative to joint rules of Senate and Assembly.

Senate Concurrent Resolution No. 9 referred to Committee on Rules.

By Senator Hurley: Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922.

Senate Concurrent Resolution No. 10 referred to Committee on Municipal Corporations.

ADJOURNMENT.

At eleven o'clock and fifteen minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, January 24, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, W. F., Godsil, Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 23, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Slater, granted leave of absence for this day.

Senator Gates, E. J., was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to M. L. Maynard of Los Angeles.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Willard Badham, Jr., of Los Angeles.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Slater:

PETITION FROM THE SONOMA COUNTY GRAPE PROTECTIVE ASSOCIATION.

SANTA ROSA, CALIFORNIA, January 15, 1923.

WHEREAS, It has come to our notice that the viticultural service of the State Department of Agriculture is likely to be discontinued owing to the lack of an appropriation by the present legislature, and

WHEREAS, We have received valuable information and aid from this service in the past and for this reason desire to have it continued; therefore, be it

Resolved, That we, the Sonoma County Grape Protective Association, hereby respectfully protest against this contemplated action; and be it further

Resolved, That an expression of this sentiment be sent to Governor Friend W. Richardson and to Senator Herbert W. Slater, Assemblyman L. E. Fritwider and Assemblyman Emmet I. Donohue, and to other members of the legislature in interest.

Respectfully submitted.

SONOMA COUNTY GRAPE GROWERS' PROTECTIVE ASSOCIATION.

By W. F. PRICE, Secretary.

VICTOR PIEZZI, President.

By Senator Handy:

RESOLUTIONS BY GRAPE GROWERS OF MENDOCINO COUNTY.

UKIAH, CALIFORNIA, January 15, 1923.

Resolved, That the welfare and interest of the grape growers of Mendocino County demand that the Viticultural Division of the State Department of Agriculture be retained as it is.

Therefore, at a mass meeting of the Mendocino County grape growers it was unanimously voted that this resolution of sentiment be forwarded to Governor Richardson, members of the Legislature, Director Hecke, as well as to Senator F. C. Handy, and Assemblyman P. Connolly, and that they be requested to use their best influence to retain the same.

(Signed)

C. L. CRAWFORD, Chairman.

HOPLAND, CALIFORNIA, January 17, 1923.

Resolved, That it is the consensus of opinion of the Grape Growers of Hopland, in mass meeting assembled, that any change or transfer of the Viticultural Division of the State Department of Agriculture be opposed, and that resolution of this sentiment be sent to Governor Richardson, members of the Legislature, Director Hecke, as well as to Senator F. C. Handy and Assemblyman Pat Connolly.

(Signed)

T. L. HATT, President.

P. H. HOPPER, Secretary.

By Senator Sharkey:

WHEREAS, The value of the home demonstration work as carried on in the State of California by the Farm Bureau Centers has been questioned, and the maintenance of same may be discontinued, as a matter of economy, be it

Resolved, By the Walnut Creek Farm Bureau Center in mass meeting assembled:

That we value this department as one of great value and an essential feature of the Farm Bureau, the loss of which would be an irreparable loss to the wives of the farmer.

That the State Board of Control be requested in its budget to make ample provision for the Home Demonstrator Agent and the Farm Adviser.

That a copy of these resolutions be forwarded to the State Board of Control, and our Senator and Assemblyman.

MRS. B. A. MOORE,

Secretary-Treasurer Walnut Creek Farm Center.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 24, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 1—Relative to the insufficiency of transportation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; noes—1.

EDEN, Chairman.

Senate Joint Resolution No. 1 ordered on file.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, January 23, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 26—An act declaring and establishing a State highway between Downieville, Sierra County, and Sattley, Sierra County, over existing county roads passing through Sierra City and making an appropriation therefor:

Also: Senate Bill No. 28—An act declaring and establishing a State highway between the present State highway at or near Ukiah, and the Mendocino State Hospital at Talmage, Mendocino County over existing county roads, and making an appropriation to carry out the provisions hereof:

Also: Senate Bill No. 62—An act making an appropriation for the construction and completion of the unimproved portions of the State highway between the town of Alturas in Modoc County, and the Nevada-California State line, via Cedarville:

Also: Senate Bill No. 88—An act to appropriate money for the use of the State Department of Public Works to construct and improve that particular portion of an existing State highway lying between Butte City in Glenn County, and a point on the present State highway in Butte County between three miles northerly of the town of Biggs:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—12; committee vote: Ayes—7; absent—5.

POWERS, Chairman.

Senate Bills Nos. 26, 28, 62 and 88 ordered re-referred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 24, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 8—Approving the charter of the city of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1922 and reports that the same has been correctly engrossed.

GATES, W. F., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act—and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-third day of January, 1923, at eleven o'clock and thirty minutes a.m.

GATES, W. F., Chairman.

CONSIDERATION OF DAILY FILE.

Senate Concurrent Resolution No. 8—Approving the charter of the city of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, one thousand nine hundred twenty-two.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, W. F., Godsil, Gray, Handy, Harris, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Senate Concurrent Resolution No. 8 ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as case of urgency Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California:

Also: Assembly Bill No. 164—An act to amend section 4236½ of the Political Code, relating to justices and constables in counties of the seventh class.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Chief Clerk.

Assembly Bill No. 141 read first time and referred to Committee on Revision and Printing.

Assembly Bill No. 164 read first time and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the county of San Bernardino, State of California;

Also: Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922;

Also: Senate Concurrent Resolution No. 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Chief Clerk.

Senate Concurrent Resolutions Nos. 3, 4 and 5 ordered to enrollment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Breed: Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect; and to repeal all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada mountains known as the "John Muir Trail" and laterals therefrom.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Slater: Senate Bill No. 117—An act to amend section 28 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to branch banking.

Bill read first time, and referred to Committee on Banking.

By Senators Boggs, Ingram and Dennett: Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Ingram: Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

Bill read first time, and referred to Committee on Conservation.

By Senator Hurley: Senate Bill No. 120—An act to provide for the placing of speed recorders on locomotive engines and providing a penalty for the violations thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Osborne: Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Sharkey: Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Dennett: Senate Bill No. 123—An act to amend section 1616 of the Political Code, relating to kindergartens.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act.

Bill read first time, and referred to Committee on Irrigation.

By Senator Gray: Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry, to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator McDonald: Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State: creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Education.

By Senator Inman: Senate Bill No. 128—An act appropriating funds for the promotion of vocational classes in music in the high schools of the State.

Bill read first time, and referred to Committee on Education.

By Senator Godsil: Senate Bill No. 129—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Nelson: Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737*c*, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 133—An act to amend section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chamberlin: Senate Bill No. 137—An act to require the teaching of the constitution of the United States in the public and private schools of the State of California.

Bill read first time, and referred to Committee on Education.

By Senator Boggs: Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519*e*, 1620*a*, 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

Bill read first time, and referred to Committee on Education.

By Senator Inman: Senate Bill No. 139—An act to establish Gold Discovery Day.

Bill read first time, and referred to Committee on Judiciary.

By Senator McDonald: Senate Bill No. 140—An act to amend section 195 of the Penal Code, relating to excusable homicide.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 141—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, and as amended by chapter 120 of the Laws of 1917, approved April 24, 1917, by amending section 50 thereof, providing for the regulation of vessels operating on the inland waters of this State.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 144—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 145—An act to require employers to keep records of the working hours and wages of women and minors in certain cases; providing for the inspection of such records by certain authorities, their deputies and agents; and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Boggs: Senate Bill No. 146—An act to add a new section to be numbered section 5½, to an act entitled, "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits, and vegetables, including the payment of fees, to prescribe penalties for violations of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith," approved May 27, 1919, as amended.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

RESOLUTION — (OUT OF ORDER).

The following resolution was offered:

By Senator Inman:

WHEREAS, It is reported that the Division of Motor Vehicles has recently abolished or seriously curtailed the activities and functions of the branch of that division known as the Inspector's Department; and

WHEREAS, It is the desire of this Senate that a complete understanding of the entire matter be had that it may be intelligently guided in its future deliberations with reference to measures governing motor vehicles; therefore be it

Resolved by the Senate of the State of California, That the Committee on Motor Vehicles of this Senate be and it is hereby directed to make full and complete investigation of said matter hereinbefore recited and more particularly as to the following:

First—The ascertainment of the functions of said department as previously conducted.

Second—Whether or not said department has performed any useful or valuable function to the people of the State of California.

Third—If said department has not performed any useful or valuable function to the people of the State of California, why the same has been retained.

Fourth—If said department has performed any useful or valuable function to the people of the State of California, why it has been abolished.

Fifth—If the department has performed any useful or valuable function to the people of the State of California in the past, what agencies, if any, will assume the functions heretofore performed by that department.

Sixth—To make any and all inquiries that said committee might determine necessary that this Senate be fully informed as to all matters and things pertaining to it.

Resolved, That said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, documents, records and papers of every kind; to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII, chapter III, title 1, part III of the Political Code

of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution.

Resolution read, and referred to Committee on Motor Vehicles

ADJOURNMENT.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, January 25, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 24, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. F. Risbrough of San Francisco.

On request of Senator M. B. Johnson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge John L. Hudner of Hollister.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge J. C. Dailey of Ventura.

PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Rush:

WHEREAS, The production of improved live stock is of prime importance to the cattle industry; and,

WHEREAS, Breeders of pedigreed live stock, and other live stock producers, have heretofore organized the California National Live Stock Show, and have held two annual shows, in tents, in the city of San Francisco, at great loss to themselves; and,

WHEREAS, Such shows are necessary to stimulate the production of more and better live stock, and are, therefore, of great importance, not only to the cattle industry, but to the welfare of all the people; and,

WHEREAS, Such shows are assisted by appropriations in other states, the last legislature in Oregon having appropriated for the Portland Live Stock Show the sum of \$75,000 for premiums and \$100,000 for buildings; and,

WHEREAS, The city and people of San Francisco have determined upon the purchase of twenty (20) acres of land and the construction of a building at a total cost in excess of \$1,000,000 in order that the California National Live Stock Show may hereafter be adequately housed; therefore, be it

Resolved, That the California Cattlemen's Association, in convention assembled, do hereby commend the efforts of the California National Live Stock Show, and of the city and people of San Francisco, in the establishment of a permanent Live Stock Show in that city; and be it

Resolved, That we urge an adequate appropriation for premiums for the California National Live Stock Show by the State Legislature, and its approval by the Governor, in order that the greatest good in the production of improved live stock may result therefrom; and be it further

Resolved, That a copy of this resolution be sent to the Honorable W. D. Stephens, Governor; to the Honorable Friend W. Richardson, Governor-elect; to the Honorable James Rolph, Jr., Mayor of San Francisco; and to the President of the Senate, the Speaker of the Assembly, and to the Chairman of the State Board of Control.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 24, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—8; noes—none.

CARR, Chairman.

Senate Concurrent Resolution No. 10 ordered on file.

ON RULES.

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 9—Relative to joint rules of Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

Senate Concurrent Resolution No. 9 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced;

Also: Senate Bill No. 104—An act to amend section 1668 of the Civil Code, relating to unlawful contracts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; Committee vote: Ayes—7; noes—none.

JONES, Chairman.

Senate Bills Nos. 33 and 104 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relative to sales of property by guardians—has had the same under consideration, and respect-

fully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership: 14; committee vote: Ayes—7; noes—none.

JONES, Chairman.

Senate Bill No. 67 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 9; committee vote: Ayes—6; noes—none.

SWING, Chairman.

Senate Bill No. 36 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 9; committee vote: Ayes—6; noes—none.

SWING, Chairman.

Senate Concurrent Resolution No. 7 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Joint Resolution No. 1—Relative to the insufficiency of transportation;

Also: Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums;

And reports that the same have been correctly engrossed.

GATES, W. F., Chairman.

Senate Joint Resolution No. 1 ordered on file.

Senate Bill No. 8 ordered on file for third reading.

RESOLUTION.

The following resolution was offered:

By Senator Sample:

WHEREAS, Pursuant to a resolution passed on January 18, 1923, a special committee of five members was appointed by the President of the Senate on the following day to investigate the contributions and expenditures of money for and against the various initiative and referendum measures submitted to the voters of California, at the last general election and reported violations of chapter 583, Statutes of 1921, and

WHEREAS, Said committee did on the twenty-fourth day of January, 1923, in the exercise of purported powers under the resolutions authorizing its appointment, pass and adopt a resolution employing one William Kehoe as special attorney and counsel to represent said committee in its authorized investigation, and

WHEREAS, It is currently reported and charged that the said William Kehoe is now or has been the personal representative and paid attorney of an individual who is recognized as one of the well known advocates and financial sponsors of the so called Water and Power Act defeated at the last general election and whose large financial contributions to the campaign fund expended in its behalf is within the scope of the investigation, and

WHEREAS, The employment of the said William Kehoe will cause to arise in the minds of the many a feeling and conviction that the investigation to be conducted will not be surrounded by that degree of impartiality and disinterestedness that should attend each and every act of said committee, and

WHEREAS, It is wholly unnecessary and an extravagant use of money for said committee to employ or retain any legal assistance by reason of the fact that said special committee is composed of five lawyers and that in the event said committee deems it necessary in its investigation to require legal assistance outside the scope of learning and experience of its own members, or the other ten lawyers who are members of the Senate, the services of the Attorney General could, if requested, be secured; now, therefore, be it

Resolved, That the employment of said William Kehoe by said committee be, and it is hereby repudiated, and any power on the part of the said committee to employ legal counsel or assistants heretofore granted be, and the same is hereby withdrawn and revoked, and it is further

Resolved, That in the event that the said committee deems it necessary to employ or requires legal assistance or counsel, it is hereby instructed and authorized to call upon the Attorney General, who is hereby requested to furnish the same.

Resolution read.

IN COMMITTEE OF THE WHOLE.

At twelve o'clock and ten minutes p.m., on motion of Senator Inman, the Senate resolved itself into Committee of the Whole, the President of the Senate in the chair, the Secretary of the Senate acting as Secretary of the Committee of the Whole, for the purpose of inviting former Senator Wm. Kehoe to address the Senate.

Former Senator Wm. Kehoe addressed the Senate, sitting as a Committee of the Whole.

COMMITTEE OF THE WHOLE RISES.

At twelve o'clock and forty-five minutes p.m., Senator Inman moved that the Committee of the Whole do now rise.

IN SENATE.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Resolution read.

Senator Sample moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution rejected by the following vote:

AYES—Senators Arbuckle, Breed, Burnett, Chamberlin, Gates, Dr., Gates, E. J., Gray, Hart, Hurley, Johnson, A. B., Lyon, Rominger, Sample, Sharkey, Swing, and West—16.

NOES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Harris, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, and Slater—23.

REPORTS OF STANDING COMMITTEES - (OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 164—An act to amend section 42367 of the Political Code, relating to justices and constables in counties of the seventh class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; noes—none.

SWING, Chairman.

Assembly Bill No. 164 ordered to second reading.

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 24, 1923.

MR. PRESIDENT: Your Committee on Revision and Printing, to which was referred Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—3; committee vote: Ayes—3; noes—none.

GRAY, Chairman.

Senator Gray asked for and was granted unanimous consent to immediately take up Assembly Bill No. 141.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED FORTY-ONE.

CASE OF URGENCY.

The following resolution was offered:

By Senator Gray:

Resolved, That Assembly Bill No. 141 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Senator Gray moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Assembly Bill No. 141.

Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California.

Bill read second time.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred the following resolution by Senator Inman—Relative to the activities of the Division of Motor Vehicles:

WHEREAS, It is reported that the Division of Motor Vehicles has recently abolished or seriously curtailed the activities and functions of the branch of that division known as the Inspector's Department; and

WHEREAS, It is the desire of this Senate that a complete understanding of the entire matter be had that it may be intelligently guided in its future deliberations with reference to measures governing motor vehicles; therefore be it

Resolved by the Senate of the State of California, That the Committee on Motor Vehicles of this Senate be and it is hereby directed to make full and complete investigation of said matter hereinbefore recited and more particularly as to the following:

First—The ascertainment of the functions of said department as previously conducted.

Second—Whether or not said department has performed any useful or valuable function to the people of the State of California.

Third—If said department has not performed any useful or valuable function to the people of the State of California, why the same has been retained.

Fourth—If said department has performed any useful or valuable function to the people of the State of California, why it has been abolished.

Fifth—If the department has performed any useful or valuable function to the people of the State of California in the past, what agencies, if any, will assume the functions heretofore performed by that department.

Sixth—To make any and all inquiries that said committee might determine necessary that this Senate be fully informed as to all matters and things pertaining to it.

Resolved, That said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, documents, records and papers of every kind; to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII, chapter III, title I, part III of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—13; committee vote: Ayes—7; absent—6.

SHARKEY, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as case of urgency and as amended, Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bill No. 17 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 6—Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922:

Also: Senate Concurrent Resolution No. 8—Approving the charter of the city

of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1922.

ARTHUR A. O'HANIMUS, Chief Clerk.

By E. E. HESTER, Assistant Clerk.

Senate Concurrent Resolutions Nos. 6 and 8 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1923.

MR. PRESIDENT, I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 2 Approving the election of the city of Chico, State of California, voted for and ratified by the qualified electors of the said city of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921.

ARTHUR A. O'HANIMUS, Chief Clerk.

By E. E. HESTER, Assistant Clerk.

Assembly Concurrent Resolution No. 2 ordered on file.

CONSIDERATION OF RESOLUTION

On motion of Senator Inman, the Senate took up for consideration the resolution reported from the Committee on Motor Vehicles this day.

MOTIONS FROM THE FLOOR.

Senator Hurley moved that the resolution lie on the table.

The question being on the motion to lay on the table.

The roll was called, and the motion rejected by the following vote:

AYES. Senators Brewster, Chapman, Cragg, Croighton, Dennett, Eden, Godsil, Gray, Hurley, Johnson, A. B., McDonald, Rominger, Sample, and West—13.

NOES. Senators Allen, Amador, Bezz, Breed, Canine, Carr, Crocker, Gages, Dr., Gates, E. J., Handy, Harris, Hart, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Poyers, Rush, Sharkey, Slater, and Sving—26.

Senator Breed moved that the resolution be re-referred to the Committee on Motor Vehicles.

Motion carried.

SENATE CONCURS IN ASSEMBLY AMENDMENT.

Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVENTEEN

AMENDMENT NUMBER ONE

Strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. Inasmuch as this act concerns and is necessary to the immediate preservation of the public safety, for the reason that the officials of the United States government have declared that two of the present bridges crossing the estuary between Oakland and Alameda, in the county of Alameda, are a menace to navigation and dangerous to the lives and property on vessels navigated on the estuary and must be repaired at once, and a substantial bridge can not be constructed until the above entitled act be amended, this act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California and it shall take effect immediately."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 17?

The roll was called, and Assembly amendment to Senate Bill No. 17 concurred in by the following vote:

AYES. Senators Allen, Amador, Bezz, Breed, Brewster, Canine, Carr, Crocker, Crocker, Dennett, Eden, Gages, Dr., Gates, E. J., Gages, Gages, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, M. Denny,

Murphy, Nelson, Osborne, Powers, Reminger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Senate Bill No. 17 ordered to enrollment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Inman: Senate Bill No. 147—An act to authorize reclamation districts to refund outstanding bonded indebtedness.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senators Inman and Sharkey: Senate Bill No. 148—An act making an appropriation for the purpose of constructing a bridge across the San Joaquin River at a point five miles above the town of Antioch, Contra Costa County, from the Contra Costa County shore across West Island to Sherman Island, Sacramento County, near the mouth of Mayberry slough.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Lyon: Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16 and 17 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 150—An act to amend section 171 of the Code of Civil Procedure, relating to the prohibition of judges from practicing law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 151—An act to amend section 103 of the Code of Civil Procedure, relating to justice's courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 153—An act to amend sections 20, 40, and 47 of an act entitled, "An act to make uniform the law of warehouse receipts," approved March 19, 1909.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 154—An act to amend an act entitled, "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139

thereof and by adding new sections thereto to be numbered sections 35*a* and 49*a* and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

By Senator Lyon: Senate Bill No. 155—An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure to be numbered 2036*a*, relating to foreign depositions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure to be numbered 1906*a*, relating to uniform proof of statutes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973*a*, relating to agreements in writing.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 159—An act to amend sections 11 and 12½ of an act entitled, "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 160—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35*a*, 1097, 1098, 1099, 1100, and 1624*a*, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read first time, and referred to Committee on Judiciary.

By Senators Eden and Swing: Senate Bill No. 161—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and relocation of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

Bill read first time, and referred to Committee on Federal Relations.

By Senator Dennett: Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure to be numbered 561, relating to attachment of personal property pending administration.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Bill read first time, and referred to Committee on Judiciary.

By Senator Osborne: Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence, or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties and counties of the second, third, fourth, fifth and sixth class, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

Bill read first time, and referred to Committee on Judiciary.

By Senators Burnett, Canepa, Crowley, Godsil, Gray, McDonald and Murphy: Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Seannell" and "Dennis Sullivan" including salaries of the officers, firemen and crews thereof shall be borne and paid by the State of California out of the State Harbor Improvement Fund.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Murphy: Senate Bill No. 168—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Senator Jones: Senate Bill No. 169—An act to amend section 602 of the Political Code, relating to sole corporations.

Bill read first time and referred to Committee on Corporations.

By Senator Gates, Dr.: Senate Bill No. 170—An act confirming and validating the organization of school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 171—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 172—An act confirming and validating changes in the boundaries of school districts and high school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 173—An act to amend the title and section 1 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes from time to time for such purpose and to create a Board of Fire Commissioners," approved March 4, 1881, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Powers: Senate Bill No. 174—An act to authorize the making of a survey, and preparation of plans and estimates, and the construction of a highway from the town of Alturas, in Modoc County, to New Pine Creek on the Oregon-California line by the most direct and practical route connecting with the Oregon state highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Harris: Senate Bill No. 175—An act to amend section 23 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on such riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title

to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended, relating to fees upon application and issuance of permits to appropriate water.

Bill read first time, and referred to Committee on Irrigation.

By Senator Boggs: Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Crowley: Senate Bill No. 177—An act to establish a State hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital for Inebriates and Drug Habitues, and to provide for the government and management thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled 'An act to survey and dispose of certain salt marsh and tide lands belonging to the State of California,' approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senators Burnett, Canepa, Crowley, Godsil, Gray, McDonald and Murphy: Senate Bill No. 179—An act granting in trust to the city and county of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator McDonald: Senate Bill No. 180—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the

rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," providing for the issuance of a certificate of public necessity and convenience for the construction of railroads.

Bill read first time, and referred to Committee on Public Utilities.

By Senator McDonald: Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator McDonald: Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento.

Bill read first time, and referred to Committee on Finance.

By Senator Sharkey: Senate Bill No. 183—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Handy: Senate Bill No. 185—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Canepa: Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 187—An act providing for the holding of an agricultural, citrus and deciduous fruit exhibition in the city and county of San Francisco, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Gates, E. J.: Senate Bill No. 188—An act to authorize the State Board of Control to lease certain land belonging to the State of California, situate in the county of Los Angeles, and providing for the disposition of the moneys received under said leases.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Dennett: Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license fees, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Crowley: Senate Bill No. 192—An act to amend sections 2, 3, 4, and 15 of an act entitled, "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended March 21, 1907, and April 21, 1909.

Bill read first time, and referred to Committee on Public Health and Quarantine.

The following resolutions were offered:

By Senator Crowley: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature.

Resolution referred to Committee on Constitutional Amendments.

By Senator Murphy: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article IX thereof, relating to the regents of the University of California.

Resolution referred to Committee on Constitutional Amendments.

By Senator Johnson, M. B.: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to article XX of the constitution of the State of California, by adding a new section thereunto, to be numbered section 22 and relating to the establishment of a State insurance system.

Resolution referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to section 21 of article XX of the constitution of the State of California, relating to workmen's compensation.

Resolution referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At two o'clock and thirty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Friday, January 26, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Beggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, Gray, Hardy, Harris, Hart, Harby, Ingram, Iman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West 35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 25, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Dennett was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Burnett was, on motion of Senator Gray, granted leave of absence for this day.

Senator Godsil was, on motion of Senator Gray, granted leave of absence for this day.

PRIVILEGE OF THE FLOOR OF SENATE EXTENDED.

On request of Senator Johnson, A. B., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Lewis E. Aubury of Burlingame.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to C. C. Teague of Santa Paula.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to C. C. Perkins of Camarillo.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George Ferrand of Los Angeles.

COMMUNICATION.

The following communication was offered, and ordered printed in the Journal:

By Senator Jones:

It is the sense of the Agricultural Legislative Committee that the experimental work on deciduous fruits and orchard practices at the Mountain View Experiment Station by the College of Agriculture of the University of California is extremely important and it would be disastrous to these interests, especially as regards experimental work relating to brown rot on the apricot and oak root fungus, if the conduct of this station should be in any way retarded or neglected; and that copies of this resolution be transmitted to the College of Agriculture, and to the Senate and Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 26, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

SLATER, Chairman.

Senate Bill No. 68 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 26, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922:

Also: Senate Concurrent Resolution No. 9—Relative to joint rules of Senate and Assembly;

Also: Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Senate Concurrent Resolutions Nos. 10, 9 and 7 ordered on file.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, January 26, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was re-referred the following resolution—Relative to the activities of the Division of Motor Vehicles:

WHEREAS, It is reported that the Division of Motor Vehicles has recently abolished or seriously curtailed the activities and functions of the branch of that division known as the Inspector's Department; and

WHEREAS, It is the desire of this Senate that a complete understanding of the entire matter be had that it may be intelligently guided in its future deliberations with reference to measures governing motor vehicles; therefore be it

Resolved by the Senate of the State of California, That the Committee on Motor Vehicles of this Senate be and it is hereby directed to make full and complete investigation of said matter hereinbefore recited and more particularly as to the following:

First—The ascertainment of the functions of said department as previously conducted.

Second—Whether or not said department has performed any useful or valuable function to the people of the State of California.

Third—If said department has not performed any useful or valuable function to the people of the State of California, why the same has been retained.

Fourth—If said department has performed any useful or valuable function to the people of the State of California, why it has been abolished.

Fifth—If the department has performed any useful or valuable function to the people of the State of California in the past, what agencies, if any, will assume the functions heretofore performed by that department.

Sixth—To make any and all inquiries that said committee might determine necessary that this Senate be fully informed as to all matters and things pertaining to it.

Resolved, That said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, documents, records and papers of every kind; to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII, chapter III, title I, part III of the Political

Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution; has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership 13; committee vote: Ayes 8; absent 5.

SHARKEY, Chairman.

CONSIDERATION OF RESOLUTION.

Senator Sharkey asked for and was granted unanimous consent to take up the above resolution for consideration at this time.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

COMMITTEE AMENDMENT NUMBER ONE.

After the first word, "Whereas", strike out the rest of the resolution and insert in lieu thereof the following:

"It is the desire of this Senate that a complete understanding of the entire matter relative to the use of State highways by motor vehicles and the enforcement of laws intended to regulate the use of vehicles thereon, be had that it may be intelligently guided in its future deliberations with reference to measures governing motor vehicles; therefore be it

Resolved, That the Committee on Motor Vehicles of this Senate be and it is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, documents, records and papers of every kind; to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII, chapter III, title I, part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee referred to under this resolution; also to make any and all inquiries that said committee might determine necessary that this Senate be fully informed as to all matters and things pertaining thereto."

Amendment adopted.

Resolution adopted as amended.

QUESTIONNAIRE.

Senator Sharkey requested and was granted unanimous consent to have the following questionnaire of the Committee on Motor Vehicles printed in the Journal:

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

*To the Clerk of the Board of Supervisors,
and District Attorney,
Sacramento, California.*

GENTLEMEN: For the purpose of securing information of particular value to the State at this time, we are addressing to you, herewith, under authority of a resolution by the Senate of the State of California, a questionnaire relative to inspection and enforcement of State and County Highway Laws by officers in the employ of and under the control of your county.

It is extremely important that the State be advised at this time as to just what measures are being taken for the enforcement of laws governing the use of our highways and whether county officers are enforcing these laws equally on State built roads and county built highways.

We wish this information to be used in connection with the legislation that is coming before us during the present session.

If these traffic officers do not come under your jurisdiction or in your department please refer this questionnaire, immediately, to the official under whom the traffic officer operates.

We are sending this by special delivery in order to get the answer back at the earliest possible moment and would ask that you do all in your power to hurry it along, as it may prove of distinct value to the State as a whole and to your county individually.

QUESTIONNAIRE.

1. How many county officers do you maintain in your county, whose special duty it is to act as traffic officers?

Answer: -----

2. (a) Do you enforce the traffic laws through the use of these officers on county highways?

Answer: -----

(b) On the State built highways?

Answer: -----

3. (a) Do you inspect for and enforce the maximum weight load laws on county highways?

Answer: -----

(b) On State highways?

Answer: -----

4. (a) Do you inspect for and enforce the laws governing lights on county highways?

Answer: -----

(b) On State highways?

Answer: -----

5. (a) Do you inspect for and enforce the use of license plates and chauffeurs' licenses?

Answer: -----

6. (a) Do you inspect for and enforce the rate of speed on trucks on county highways?

Answer: -----

(b) On State highways?

Answer: -----

7. (a) What do you pay your traffic officers, whose special duty it is to enforce these laws?

Answer: -----

8. (a) Do your traffic inspectors get good results in the enforcement of these laws in your county?

Answer: -----

9. (a) Do you consider it necessary for the State to maintain inspectors or traffic officers under control of the State, for the proper enforcement of these laws, on the State highways?

Answer: -----

10. (a) If you consider it necessary for the State to maintain such officers, how many such officers do you think it would be necessary for the State to maintain to enforce such laws, in your county?

Answer: -----

11. (a) Have the State inspectors, or traffic officers that have been employed during the past been of particular benefit in your county in helping to enforce these laws on the State highways?

Answer: -----

12. (a) Will it be necessary for you to employ additional traffic officers, or inspectors, in your county, if the State discontinues its traffic officers or inspectors?

Answer: -----

Very respectfully yours,

Chairman Motor Vehicle Committee.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Osborne: Senate Bill No. 193—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crowley: Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Breed: Senate Bill No. 195—An act to repeal sections 367c, 367d, 499b and 499c of the Penal Code, relating to the use and

unlawful taking of vehicles, and the duty of drivers of vehicles and to the driving of vehicles by drivers while they are intoxicated.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922.

Bill read first time, and referred to Committee on Revision and Printing.

Also: Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Carr: Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 199—An act to amend section 925 of the Penal Code, relating to grand juries.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 200—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 201—An act to amend section 52 of the Political Code, relating to rules for determining residence.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 203—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 10½, 11, 12, 12½, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 of the act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all

other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 204—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Bill read first time, and referred to Committee on County Government.

By Senator Chamberlin: Senate Bill No. 205—An act authorizing and instructing the State Controller and the State Treasurer to accept from the directors of the Sixth District Agricultural Association as full satisfaction and in complete compliance with the terms of that certain act entitled, "An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special expositions at Exposition Park, Los Angeles," approved June, 1917, the sum of \$11,413.94, in cash already deposited in the State Treasury, and the inventory of permanent improvements made upon the State's property at Exposition Park, Los Angeles, from funds of the revolving fund provided in the above mentioned act.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 206—An act making an appropriation to pay the claim of Geo. A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Lyon: Senate Bill No. 208—An act concerning conditional sales and to make uniform the law relating thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

Bill read first time and referred to Committee on Motor Vehicles.

By Senator Eden: Senate Bill No. 210—An act designating Frances E. Willard Day in the public schools of this State, and requiring instruction and appropriate exercise relative to the life, history and achievements of Frances E. Willard.

Bill read first time, and referred to Committee on Education.

By Senator Swing: Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades

of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731*a*, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

Bill read first time, and referred to Committee on Education.

By Senator Handy: Senate Bill No. 213—An act to amend section 628*b*, of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Powers: Senate Bill No. 214—An act to amend section 626*i* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 215—An act to amend section 626*f* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Harris: Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act: and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers: and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 1, 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 217—An act to amend section 526 of the Code of Civil Procedure, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 218—An act to amend section 3423 of the Civil Code, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 219—An act to add two new sections to the Civil Code, to be numbered 653*sd*, and 3396, relating to non-profit corporations.

Bill read first time, and referred to Committee on Corporations.

By Senator Hurley: Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties.

Bill read first time, and referred to Committee on Judiciary.

By Senator Canepa: Senate Bill No. 221—An act appropriating money for building and furnishing an observatory in the city and county of San Francisco; arranging for its upkeep by said city and county.

Bill read first time, and referred to Committee on Finance.

By Senator Jones: Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the federal board for vocational education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921.

Bill read first time, and referred to Committee on Education.

By Senator Nelson: Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure, relating to notices to relatives of persons under guardianship.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boggs: Senate Bill No. 225—An act making an appropriation for the construction and reconstruction of all State highways in San Joaquin County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Arbuckle: Senate Bill No. 226—An act to amend section 24 of an act approved June 16, 1913, entitled "An act to provide for and regulate primary elections, and providing a method of choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act;" as amended by an act approved May 29, 1917; as amended by an act approved April 8, 1919.

Bill read first time, and referred to Committee on Elections.

By Senator Boggs: Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, by amending sections 6, 9, 12, 13, 14, 17, 21, and 24, and repealing sections 7, 16½, 18 and 33.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Jones: Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read first time, and referred to Committee on Judiciary.

The following resolution was offered:

By Senator Nelson: Senate Joint Resolution No. 4 Relative to the establishment of a forest experiment station in California.

Senate Joint Resolution No. 4 referred to Committee on Federal Relations.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

By Senator Allen: Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure, to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced.

Senate Bill No. 33 ordered to engrossment, and on file for third reading.

By Senator Dennett: Senate Bill No. 104—An act to amend section 1668 of the Civil Code, relating to certain unlawful contracts.

Senate Bill No. 104 ordered to engrossment, and on file for third reading.

By Senator Nelson: Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians.

COMMITTEE AMENDMENT.

During the second reading of the bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 4 of the printed bill strike out everything after the period following the figures 1789 and insert in lieu thereof the following: "All the proceedings by guardians concerning sales of property of their wards, giving notice of sale, reselling the same property, return of sale and application for confirmation thereof, notice and hearing of such application, making orders rejecting or confirming sales and reports of sales, ordering and making conveyances of property sold, allowance of commissions, accounting and settlement of accounts, must be had and made as required by the provisions of this title concerning estates of decedents, unless otherwise specially provided in this chapter or ordered by the court."

Amendment adopted.

Senate Bill No. 67 ordered to print, engrossment, and on file for third reading.

By Senator Inman: Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Senate Bill No. 36 ordered to engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS

On motion of Senator Johnson, A. B., Senate Bill No. 8 was passed on file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER ONE.

By Senators Slater and Boggs: Senate Joint Resolution No. 1—Relative to the insufficiency of transportation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Senate Joint Resolution No. 1 ordered transmitted to the Assembly.

CONSIDERATION OF SENATE CONCURRENT RESOLUTIONS.

By Senator Hurley: Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Concurrent Resolution No. 10 ordered transmitted to the Assembly.

By Senator Breed: Senate Concurrent Resolution No. 9—Relative to Joint Rules of Senate and Assembly.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 9 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Crowley, Eden, Gates, Dr., Gates, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Senate Concurrent Resolution No. 9 ordered transmitted to the Assembly.

By Senator W. F. Gates: Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Concurrent Resolution No. 7 ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY BILL.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 164—An act to amend section 4236 of the Penal Code, relating to justices and constables in counties of the seventh class.

COMMITTEE AMENDMENTS.

During the second reading of Assembly Bill No. 164, the following Committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out all that portion beginning with the word "if" down to and including the word "code" in line 9, and insert in lieu thereof the following: "The board of supervisors may determine such population by multiplying by two and one-half the number of registered voters at the last general election next preceding the date of such determination."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 27, of the printed bill, strike out all that portion beginning with the word "as" to and including the word "code" in line 28, page 1, and insert in

lien thereof the following: "In the manner as in this section provided and the population therein determined shall be and become the official population of such township."

Amendment adopted.

Assembly Bill No. 164 ordered to print, engrossment, and on file for third reading.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, January 29, 1923.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, January 29, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 26, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senators Godsil and Crowley were, on motion of Senator Gray, granted leave of absence for this day.

Senator Lyon was, on motion of Senator Chamberlin, granted leave of absence for this day.

Senator Ingram was, on motion of Senator Johnson, M. B., granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Sheriff John M. Boyes of Santa Rosa.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on January 26, 1923, adopted Assembly Joint Resolution No. 3—Relative to approving the Colorado River Compact:

Also: Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Joint Resolutions Nos. 3 and 6 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on January 26, 1923, adopted Assembly Concurrent Resolution No. 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923;

Also: Assembly Concurrent Resolution No. 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified electors of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Concurrent Resolutions Nos. 3 and 4 referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 29, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 4—Relative to the establishment of a forest experiment station in California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5.

EDEN, Chairman.

Senate Joint Resolution No. 4 ordered to engrossment, and on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 29, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure to be numbered section 3491, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations or the consolidation of municipal corporations is contested, can be commenced:

Also: Senate Bill No. 104—An act to amend section 1668 of the Civil Code, relating to certain unlawful contracts;

Also: Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians;

Also: Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists;

And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

RESOLUTION.

The following resolution was offered:

By the Committee on Contingent Expenses:

Resolved, That the Controller be, and he is, hereby authorized and directed to draw his warrant on the contingent fund of the Senate in the sum of one hundred twenty-eight and 17/100 dollars (\$128.17) in favor of the Secretary of the Senate, to pay the amounts as itemized below, and the State Treasurer is hereby ordered to pay the same.

January 5—Union Florist, San Francisco, Cal., flowers and transportation, Senator Rigdon's funeral	\$33 50
January 10—Purnell Stationery Co., Sacramento, Cal., 6 clip files	3 63
January 12—Carithers Sign Co., Sacramento, Cal., black lettering on door, reading: "Senate Committee Judiciary"-----	2 50

January 15—Carithers Sign Co., Sacramento, Cal., black lettering on three doors, reading: "Senate Stenographers," "Senate Committees, Agriculture, Corporations, Revenue and Taxation," "Senate Committees, Commerce and Navigation, Elections, Roads and Highways"-----	9 45
January 16—Carithers Sign Co., Sacramento, Cal., printing on two books to read "Senate"-----	2 00
January 17—Statement of expenses of Herbert C. Jones, to Senator Rigdon's funeral:	
Railway fare, San Jose to San Luis Obispo and return-----	\$14 52
Auto stage fare, San Luis Obispo to Cambria and return-----	4 00
Hotel at Gonzales-----	2 50
Hotel at Paso Robles on return trip-----	2 00
Meals and tips-----	3 35
Total-----	\$26 37
Jan. 17—Statement of J. J. Crowley, to Senator Rigdon's funeral:	
Railway fare from San Francisco to San Luis Obispo and return-----	\$18 02
Berth, San Francisco to San Luis Obispo-----	3 10
Hotel, San Luis Obispo-----	2 50
Meals, etc.-----	4 35
Taxi fare and chair car-----	1 50
Total-----	\$29 47
January 18—Purnell Stationery Co., Sacramento, Cal., 3 doz. key rings-----	3 30
January 19—Pacific Telephone and Telegraph Co., Sacramento, Cal.:	
Exchange service, Jan. 7th to Jan. 31st, @ \$8.00---	\$6 45
Service connection charge-----	11 50
	17 95
Total-----	\$128 17

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, Gray, Handy, Harris, Hart, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT.

Upon the request of Senator Arbuckle, unanimous consent was granted to have the following communication printed in the Journal:

A ray of consolation was afforded us in our bereavement by the knowledge of the esteem in which our husband and father was held by his many friends. Your sympathy helped us in a time when sympathy is the only thing which can in any measure alleviate the pain of separation, and we thank you.

MRS. ALICE S. RIGDON and son, ELMER.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Nelson: Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members;

providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 230—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by an express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 232—An act appropriating money for the purchase of additional land for the Humboldt State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 233—An act appropriating money for improvements at the Humboldt State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Boggs: Senate Bill No. 236—An act to amend section 636 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Sharkey: Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 238—An act to appropriate money for the use of the State Highway Commission of the State of California to augment the funds available for the construction of the State highway between Mill Valley and Bolinas, in Marin County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Lewis: Senate Bill No. 239—An act to establish a tax on income; to provide for its collection and to direct the distribution of the proceeds therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Eden: Senate Bill No. 240—An act granting certain tide lands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 241—An act defining and permanently establishing the exterior boundaries of the city of Newport Beach.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 243—An act to create a flood control district to be designated "Orange County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways, and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing, and selling of bonds, and the levying and collecting of taxes by said district, and to define the powers and duties of the officers thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Johnson, M. B.: Senate Bill No. 244—An act requiring that all motor vehicles owned by the State of California or by any board, commission or department thereof, or any of the officers thereof in the discharge of official duties, be suitably marked with the name of the department by which the same is used, and providing penalties for the failure to thus mark vehicles or for the use thereof for other than official purposes connected with the duties of the particular department or political subdivision by which said vehicle is controlled.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator West: Senate Bill No. 245—An act to amend an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 246—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropri-

tion therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

Also (by request): Senate Bill No. 247—An act to add a new section to the Code of Civil Procedure to be numbered 1319, providing that where a contest of a will may be brought under the provisions of section 1312, subdivision III, of the Code of Civil Procedure, a forfeiture clause forfeiting any bequest, legacy or interest under said will shall at all times be deemed, held and considered contrary to public policy and void and of no effect.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 248—An act to amend sections 7, 8*c* and 8*g* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add two new sections thereto to be known as section 5*a* and section 8*h*.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hurley: Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates, Dr.: Senate Bill No. 251—An act to amend section 628*a* of Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 253—An act to add a new section to the Penal Code to be numbered 628*a*, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 254—An act to add a new section to the Penal Code to be numbered 628*a*, relating to the protection of shad.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Slater: Senate Bill No. 255—An act appropriating money for the erection of a new hospital building at the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 256—An act appropriating money for the purchase of equipment for the new hospital building at the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 257—An act appropriating money for the erection of two cottages for inmates at the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 258—An act appropriating money for the purchase of equipment for the two new cottages for inmates at the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 259—An act appropriating money for the completion of the sewerage and disposal plant at the Sonoma State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 260—An act appropriating money for the purchase of a new boiler 250 H. P. feed and oil pump for the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 261—An act appropriating money for reflooring at the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Murphy (by request): Senate Bill No. 262—An act to add a new section to the Civil Code to be numbered section 2178, limiting the liability of a carrier of property carried in trunks, valises, traveling bags, boxes, bundles or packages, in the event of loss of or of injury to the same.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Dennett: Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379*a*, 379*b*, 379*c* and 391, relating to joinder of parties to civil actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 267—An act to add a new section to the Code of Civil Procedure to be numbered 287*a*, relating to the taking of

depositions where the conduct of an attorney is being investigated by a bar association or a committee thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 268—An act to amend section 276 of the Code of Civil Procedure, and to add a new section to said code to be numbered 279a, relating to qualifications for admission to practice law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 271—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Harris: Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a state board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Bill read first time, and referred to Committee on Irrigation.

By Senator Powers: Senate Bill No. 273—An act to provide for the better care of live stock in transit upon railroads in this State and limiting the number of cars in any one train that may be used for the purpose of transporting such live stock.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Creighton: Senate Bill No. 275—An act to declare a certain road between Bakersfield and Mojave, a State highway and **make an appropriation therefor.**

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Handy: Senate Bill No. 276—An act appropriating money for remodeling certain wards in the Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 277—An act appropriating money for the replastering and remodeling of the assembly hall for Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 278—An act appropriating money for reconstructing the administration building of Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 279—An act appropriating money for increasing the capacity of the ice plant for Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 280—An act appropriating money for moving and reconstructing the carpenter shop for Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 281—An act appropriating money for the erection of a brick building to be used as a paint shop for Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 282—An act appropriating money for installing a 250 horse power boiler for Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Allen: Senate Bill No. 283—An act to amend section 789 of the Civil Code relating to termination of estates.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 286—An act to amend section 1487 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16,

1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, referred to Committee on Judiciary.

By Senator Eden: Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein."

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the state under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Hurley: Senate Bill No. 294—An act to amend section 16 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, to provide for the creation of two medical referee boards to pass upon the cause and extent of disability and the adequacy of treatment of injured employees and the cause of death in death cases arising under said act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Handy: Senate Bill No. 295—An act to amend section 626d of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator McDonald: Senate Bill No. 296—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies,

powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 297—An act to amend section 2283 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Senate Bill No. 298—An act making an appropriation for the support of orphans, half orphans and abandoned children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Senate Bill No. 299—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Arbuckle: Senate Bill No. 300—An act to impose a license fee for the transportation of persons or property for hire or of Los Angeles, in the county of Los Angeles, State of California, compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Handy: Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Hart: Senate Bill No. 302—An act to amend section 626k of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator McDonald: Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers.

Bill read first time, and referred to Committee on Governmental Efficiency.

The following resolutions were offered.

By Senator Hurley: Senate Concurrent Resolution No. 11—Relative to the calling of a constitutional convention.

Senate Concurrent Resolution No. 11 referred to Committee on Constitutional Amendments.

By Senator Chamberlin: Senate Concurrent Resolution No. 12—Relative to approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922.

Resolution referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be known as section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking of evidence; providing also other incidental powers and duties of the court.

Resolution referred to Committee on Constitutional Amendments.

By Senator Arbuckle: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to section 2 of article XVIII of the constitution of the State of California, relating to a convention for revising the constitution of the State of California.

Resolution referred to Committee on Constitutional Amendments.

By Senator Gates, Dr.: Senate Constitutional Amendment No. 12—A resolution proposing to the people of the State of California to amend section 9, article XI, of the constitution of the State of California, relating to the compensation of any county, city, town or municipal officer during his term of office.

Resolution referred to Committee on Constitutional Amendments.

By Senator Inman: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California to amend section 13, article XX, of the constitution of said State, relating to elections.

Resolution referred to Committee on Constitutional Amendments.

By Senator Johnson, A. B.: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California to add a new section to article XIII of the constitution, to be numbered 1c, relating to exemption of cut-over timber land from taxation.

Resolution referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

Senate Bill No. 68 ordered on file for third reading.

THIRD READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-FOUR—
(OUT OF ORDER).

Senator Inman asked for and was granted unanimous consent to take up Assembly Bill No. 164 out of order for the purpose of amendment.

Assembly Bill No. 164—An act to amend section 42367 of the Political Code, relating to justices and constables in counties of the seventh class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 164 to Senator Jones as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "two and one-half", and insert in lieu thereof the word "three".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 164, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read, and on motion of Senator Inman, adopted. Bill ordered to print, and reengrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 29, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 4—Relative to the establishment of a forest experiment station in California—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 29, 1923.

MR. PRESIDENT: Your Committee on Revision and Printing, to which was referred Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments sub-

mitted to the voters at the election held November 7, 1922—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

GRAY, Chairman.

Senate Bill No. 196 ordered on file for second reading.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, January 30, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Goolsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 29, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Harris was, on motion of Senator Dennett, granted leave of absence for this day.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senator Carr was, on motion of Senator Sharkey, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Capt. and Mrs. E. L. Hawk of Sacramento, Commander S. W. Hopkins of Lodi, Mrs. Emma J. Scheer of Santa Monica, and Mrs. Kate Reed Humphries of Los Angeles.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Wilbur, Chief Justice of the Supreme Court, and Justice Myers.

PETITION.

The following petition was presented by Senator Boggs, and ordered printed in the Journal:

STATE OF CALIFORNIA.
COUNTY OF AMADOR.

To Frank S. Boggs, Senator, to F. G. Sternot, Assemblyman, and to Frank M. Newbert, President Fish and Game Commission.

HONORABLE SIR: We, residents of Amador County, do hereby register our objection to any law having in effect the prohibition of the use of one dog in trailing deer as contemplated by an amendment to be introduced by the cattlemen or stock-raisers at the coming meet of the Legislature of this State.

The proposed inhibition is a stockmen's measure, who have joined with the timber men in seeking changes in the game laws, the timber men desiring legislation looking to the prevention of fires, and they are not interested in the dog question.

With any measure that will prevent fire waste, we are in full sympathy, but we protest any attempt to prevent our use of one dog in hunting deer for the following reasons:

Cattlemen and sheepmen have always hunted deer with their cattle dogs, dogs with which they herd and drive cattle, and if dog hunting is prevented, they will have a monopoly of hunting deer with dogs, and so will their herders.

Cattle will not stampede from sight of our deer hound any more than they will from a still hunter sneaking through the timber.

Our dogs assist in the destruction of the very animals that prey on the stockman's herd.

Stockmen have grazing permits only on the forest reserved land, and the whole world is invited there by the government to fish and hunt.

Let the cattleman enjoy his rights without asking that the rights of others be hampered.

Still hunting causes the loss of a great many deer to the hunter who has wounded them; the dog brings them into camp.

The old foxhound of the long ago has long since been discarded and the deerhound of today is a cross fox and beagle, a short run dog, and he has no use for cattle, sheep, hogs, goats or poultry, nor even domesticated deer.

We trust that when the smoke clears away, we will find that we have been permitted the use of one dog as at present, and we will ever pray.

VERNE WHEELER,
And 47 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 12—Approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 29, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified electors of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Concurrent Resolution No. 4 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election

held therein on the fourth day of January, 1923—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Concurrent Resolution No. 3 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 12—Approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWELVE— (OUT OF ORDER).

Senator Chamberlin asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 12, out of order.

Senate Concurrent Resolution No. 12—Approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Concurrent Resolution No. 12 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento:

Also: Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

GATES, E. J., Chairman.

Senate Bills Nos. 182 and 186 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—(OUT OF ORDER).

SECOND READING OF SENATE BILLS.

Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento.

Bill read second time, considered engrossed, and ordered on file for third reading.

Senate Bill No. 186—An act making an appropriation for the completion of the State building at Sacramento.

Bill read second time, considered engrossed, and ordered on file for third reading.

Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922.

Bill read second time, ordered engrossed, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the county of San Bernardino, State of California:

Also: Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922:

Also: Senate Concurrent Resolution No. 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922:

Also: Senate Concurrent Resolution No. 6—Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922:

Also: Senate Concurrent Resolution No. 8—Approving the charter of the city of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1922:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of January, 1923, at one o'clock and thirty minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of January, 1923, at one o'clock and thirty minutes p.m.

GATES, DR., Chairman.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 205—An act authorizing and instructing the State Controller and the State Treasurer to accept from the directors of the Sixth District Agricultural Association as full satisfaction and in complete compliance with the terms of that certain act entitled "An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special expositions at Exposition Park, Los Angeles," approved June 1, 1917, the sum of \$11,413.94, in cash already deposited in the State Treasury, and the inventory of permanent improvements made upon the State's property at Exposition Park, Los Angeles, from funds of the revolving fund provided in the above-mentioned act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

BOGGS, Chairman.

Senate Bill No. 205 ordered on file for second reading.

Also:

MR. PRESIDENT. Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated.

Also: Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act;

Also: Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the first agricultural district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Finance with recommendation do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

BOGGS, Chairman.

Senate Bills Nos. 12, 35 and 73 ordered re-referred to Committee on Finance, with recommendation do pass.

RESOLUTION WITHDRAWN FROM PRINTER.

Senator Hurley asked for and was granted unanimous consent to have Senate Concurrent Resolution No. 11 withdrawn from the Printer.

RESOLUTION.

The following resolution was offered:

By Senator Lewis:

Resolved, That the Senate investigate the advisability or possibility, of using the tract of land near Pomona, owned by the State, comprising some eight hundred acres and known as the Pacific Colony, as a site for the new Norwalk State institution, it being known that the colony has been abandoned by the administration as an active State enterprise.

If such use is possible it would save the State a large appropriation to purchase a tract of land for the homeless Norwalk asylum, thus leaving a greater sum for building.

Resolution read, and referred to the Committee on Hospitals and Asylums.

RESOLUTIONS OF RESPECT.

By Senator Slater:

RESOLUTIONS OF RESPECT TO THE MEMORY OF THE LATE SENATOR ELMER S. RIGDON, IN REPLY TO HIS LONG AND ABLE SERVICE TO THE STATE OF CALIFORNIA.

True to his home, his State and country, somewhat beyond the threshold of life and apparently in the full possession of vigor and manhood, Senator Elmer S. Rigdon passed from life. His death occurred right in the prime of his usefulness but not before he had given evidence of a well grounded and truthful belief in the knowledge of the public welfare and the common good as evidenced during his years of service as a member of the Assembly and the Senate of the State of California. To ascribe to his memory a tribute such as his life work would justify would recompense him nothing, now that the silver cord has been loosed. Yet we, as his fellow members of the Senate of the State of California, agree that as the last earthly sunset waned for him that he left along life's pathway many shining remembrances and bright inscriptions that neither time nor death can efface, and such as merit not only the approval of his fellows and the citizenry of his beloved State of California, but certainly suggest a permanent reward promised by Him who first set the pattern of right living, so our hope is now that he fully realizes the ecstasies of the joys that mingle at the end of a perfect day; therefore, be it

Resolved by his fellows composing the Senate of the State of California, That we, in forty-fifth session assembled, in the Senate Chamber in the city of Sacramento, State of California, this thirtieth day of January, 1923, do most sincerely regret the death of Elmer S. Rigdon, of Cambria, San Luis Obispo County, and that we heartily concur in the foregoing sentiments as expressing our appreciation of his worth; and, be it further

Resolved, That we tender our heartfelt sympathy to his beloved wife and son, and others near and dear to him, and that the Secretary of this Senate is hereby directed

to forward to the bereaved family, a copy of these resolutions and that the same be spread upon the pages of the Journal of this Senate.

HERBERT W. SLATER,
Chairman Senate Committee.
HERBERT C. JONES,
JOHN JOSEPH CROWLEY.

Resolutions adopted, and ordered printed in the Journal.

RESOLUTION.

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the payroll of the Senate:

Mrs. Frank Linnem, Stenographer \$5 00 per day

Resolution adopted.

APPROVAL OF JOURNALS.

On motion of Senator Breed, the Senate Journals of January 8, 9, 10, 11, and 12, also January 15, 16, 17, 18 and 19, and also January 22, 23, 24 and 25, all of 1923, were approved as corrected.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Arbuckle: Senate Bill No. 304—An act to amend an act known as the "Motor Vehicle Act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Swing: Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the State of Arizona opposite the town of Topoe, Arizona, to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also (by request): Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 67, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also (by request): Senate Bill No. 307—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also (by request): Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Slater: Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code relating to Junior High Schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds Ranch" in Sonoma County and providing for the use thereof.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Dennett: Senate Bill No. 314—An act to provide for the organization, admission, regulation and taxation of mutual insurance companies, other than life, and providing penalties for violations hereof.

Bill read first time, and referred to Committee on Insurance.

By Senator Breed: Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the re-establishment and re-definition of the boundaries of the counties of the State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 317—An act to amend sections 363*a* and 363*c* of the Political Code, all relating to a Department of Public Works.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code, to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 319—An act to amend section 1519*a* of the Political Code, relating to the powers and duties of the State Board of Education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917 (and to add a new section to said act to be known as section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations).

Bill read first time, and referred to Committee on Insurance.

By Senator Murphy: Senate Bill No. 321—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as seawall lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 322—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Inman: Senate Bill No. 323—An act appropriating money to pay the claim of the Voorhies Investment Company against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464 in reference to the liability of reclamation districts for negligence of their trustees.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 325—An act to amend an act entitled "An act to define and regulate the business of banking" approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking.

By Senator Powers: Senate Bill No. 326—An act appropriating money for improvements to the summer session property of the State Teachers College of Chico, located at Sisson or Mt. Shasta, Siskiyou County, California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors.

Bill read first time, and referred to Committee on County Government.

By Senator Gray: Senate Bill No. 328—An act to amend an act known as the "Motor Vehicle Act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hurley: Senate Bill No. 330—An act to provide for the examination and licensure of doctors of medicine (M.D.'s) for the practice of medicine and any and all of its specialties, including the prevention and treatment of any and all kinds of infirmities, injuries and mental and physical diseases and conditions of human beings and for the regulation of the practice thereof, to establish a doctor of medicine (M.D.) bureau of licensure and provide for the appointment of the members thereof, and prescribe their powers and duties.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "Doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "Doctor," "Dr.," "Physician," "Physician and Surgeon," "Surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 332—An act to amend an act known as the "Motor Vehicle Act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Ingram: Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 334—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 335—An act to add a new section to the Civil Code to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors.

Bill read first time, and referred to Committee on Insurance.

By Senator Lyon: Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator West: Senate Bill No. 339—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor and the length of term thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 340—An act to amend an act known as the Motor Vehicle, approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Lewis: Senate Bill No. 341—An act to amend sections 1560 and 1564 of the Political Code, relating to teachers' institutes.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610*a*, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 343—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 344—An act to amend sections 1700 and 1701 of the Political Code of the State of California, relating to paying salaries of teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 345—An act to add a new section to the Political Code, to be numbered 1608*d*, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 346—An act to add a new section to the Political Code, to be numbered 1608*e*, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 347—An act to add a new section to the Political Code, relating to the powers and duties of city superintendents of schools and of district superintendents of schools, and to be numbered section 1609*a*.

Bill read first time, and referred to Committee on Education.

By Senator Dennett: Senate Bill No. 348—An act validating and confirming the organization of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Senator Handy: Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands with said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district;

defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Lewis: Senate Bill No. 351—An act to amend section 1566 of the Political Code, relating to Trustees' Meetings.

Bill read first time, and referred to Committee on Education.

By Senator Handy: Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Land.

By Senator Lewis: Senate Bill No. 353—An act to amend section 1552 of the Political Code of the State of California, relating to traveling expenses of county superintendents.

Bill read first time, and referred to Committee on Education

By Senator Gates, E. J.: Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Education.

By Senator Sample: Senate Bill No. 355—An act to amend an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 28, 1919, as amended, by repealing section 9 thereof and adding nine new sections thereto to be numbered sections 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, and 9h, relating to the creation of a Board of Examiners and providing for their appointment, prescribing their duties and fixing their compensation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 357—An act to amend section 538 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 358—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 359—An act to amend an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined; and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, by adding thereto four new sections to be numbered 30, 31, 32, and 33, relating to the purchase of stocks, bonds or securities.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 360—An act to add a new section to the Political Code to be numbered 4234a, relating to county recorders of counties of the fifth class and the expenses of their offices.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 362—An act to amend section 626 of the Penal Code, relating to the protection of game, approved May 12, 1921, as amended.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 363—An act to amend section 1 of an act entitled "An act to encourage the destruction of wild animals in the different counties of the State, and authorizing the board of supervisors of each of said counties to fix and determine the bounty for the destruction of the same," approved March 15, 1883, relating to the bounties of mountain lions.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Lyon: Senate Bill No. 364—An act to amend section 4153 of the Political Code, relating to duties of the district attorney.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sample: Senate Bill No. 365—An act appropriating money for the purchase of certain real property adjoining the premises of the State Teachers College at San Diego, California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 366—An act appropriating money for the paving of certain streets adjacent to the property of the State Teachers College at San Diego.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 368—An act to appropriate money for the construction of new buildings for the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 369—An act to appropriate money for the purchase and installation of permanent fixtures in laboratories of the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 370—An act to appropriate money for the repair and upkeep of the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 371—An act to appropriate money for the installation and equipment of a cafeteria upon the premises of the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 372—An act to appropriate money for alteration and improvement of the library of San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 373—An act to appropriate money for the purchase and installation of lockers and cabinets in certain buildings of the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 374—An act to appropriate money for the purchase and installation of furniture in the junior high school unit of the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 375—An act to appropriate money for the installation of equipment of the shops of the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

Bill read first time, and referred to Committee on Corporations.

By Senator Gates, Dr.: Senate Bill No. 378—An act to add a new section to the Political Code, to be numbered 1705, and to amend section 1734*b* of the Political Code, relating to public school teachers and to high school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 379—An act to withdraw the office of county superintendent of schools from the status of a political office; to require such officer to have professional qualifications; to provide for his election, compensation, and related details.

Bill read first time, and referred to Committee on Education.

By Senator Burnett: Senate Bill No. 380—An act to add a new section to the Political Code of the State of California, relating to group insurance by life insurance companies and valuation of group insurance policies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 381—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 382—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senators Burnett, Johnson, Godsil, Murphy, Canepa, Crowley, Gray and McDonald: Senate Bill No. 383—An act to appropriate money for the use of the State Department of Public Works to construct a highway in the county of San Mateo from the Beresford road to South San Francisco.

Bill read first time, and referred to Committee on Roads and Highways.

By Senators Johnson, M. B. Burnett, Canepa, Crowley, Godsil, Gray, McDonald and Murphy: Senate Bill No. 384—An act authorizing the creation of development districts between the counties of this State or parts thereof; providing a method for the creation, enlargement and dissolution thereof; providing for the government of such districts and prescribing the powers and functions thereof; authorizing the levy of taxes, the issuance and sale of bonds and the payment of the cost and expense of works and improvement by special assessment; providing a method of letting contracts; declaring the bonds issued by such districts to be legal investment.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Gates, E. J.: Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read first time, and referred to Committee on Judiciary.

By Senator Canepa: Senate Bill No. 386—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 387—An act to amend section 2646 of the Political Code, relating to highways in charge of supervisors.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 388—An act to amend section 2653 of the Political Code, relating to property highway tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 389—An act to amend section 4043 of the Political Code, relating to the protection of highways from damage by floods.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 391—An act to amend an act known as the Motor Vehicle, approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and

surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Jones: Senate Bill No. 394—An act to amend sections 12 and 12a of the act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds.

Bill read first time, and referred to Committee on Education.

By Senator Burnett: Senate Bill No. 397—An act to add a new section to the Political Code, to be numbered section 3664aa, relative to the taxation of public service corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator McDonald: Senate Bill No. 398—An act authorizing farmers or agriculturists to protect property against wild animals.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 399—An act to add a new section to the Civil Code to be numbered 857, relating to protection of innocent purchasers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Arbuckle: Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

The following resolutions were offered:

By Senator Chamberlin: Senate Joint Resolution No. 5—Resolution on Towner-Sterling bill.

Senate Joint Resolution No. 5 referred to Committee on Federal Relations.

By Senator Nelson: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article

XI thereof, relating to the compensation of city, county, town or municipal officers.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Sample: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Hurley: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article XII thereof, relating to the Railroad Commission.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Gates, E. J.: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

Constitutional amendment referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 19 of article VI, relating to the charging of juries by judges.

Constitutional amendment referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento;

Also: Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco;

Also: Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senate Joint Resolution No. 4—Relative to the establishment of a forest experiment station in California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Harbey, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.
 NOES—None.

Senate Joint Resolution No. 4 ordered transmitted to the Assembly.

SPECIAL FILE OF ASSEMBLY BILLS.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 164—An act to amend section 42361 of the Political Code, relating to justices and constables in counties of the seventh class.
 Bill read third time.

CASE OF URGENCY.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Harbey, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.
 NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 164 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, E. J., Gray, Handy, Hart, Harbey, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.
 NOES—None.

Title read and approved.

Assembly Bill No. 164 ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTIONS.

Senator Creighton asked for and was granted unanimous consent to take up Assembly Concurrent Resolutions Nos. 3 and 4 out of order for the purpose of consideration.

Assembly Concurrent Resolution No. 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Harbey, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.
 NOES—None.

Assembly Concurrent Resolution No. 3 ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified electors of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Assembly Concurrent Resolution No. 4 ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 6—Relative to investigation of Norwalk State Hospital property for oil purposes.

ARTHUR A. OHLNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Assembly Concurrent Resolution No 6 referred to Committee on Oil Industries.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 9—Relative to Joint Rules of Senate and Assembly:

Also: Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922.

ARTHUR A. OHLNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Senate Concurrent Resolutions Nos. 9 and 10 ordered to enrollment.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Wednesday, January 31, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Rev. R. B. McAulay of Sacramento.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 30, 1923, the further reading was dispensed with, on motion of Senator Johnson, A. B.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Gray, granted leave of absence for this day.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Concurrent Resolution No. 6—Relative to investigation of Norwalk State Hospital property for oil purposes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

LYON, Chairman.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIX.

Senator Johnson, A. B., asked for and was granted unanimous consent to have Assembly Concurrent Resolution No. 6 taken up out of order for amendment.

Assembly Concurrent Resolution No. 6—Relative to investigation of Norwalk State Hospital property for oil purposes.

COMMITTEE AMENDMENTS.

During the reading of the resolution the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 19, page 1 of the printed resolution, after the word "president" insert the words "pro tem".

Amendment adopted.

AMENDMENT NUMBER TWO.

On lines 29 and 30 of the printed resolution, strike out the words "one thousand" and insert in lieu thereof the words "two-hundred fifty".

Amendment adopted.

Assembly Concurrent Resolution No. 6 ordered to print, and on file.

REPORTS OF STANDING COMMITTEES—RESUMED.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 31, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended, and to repeal sections 11, 12 and 13 of said act—and reports that the same has been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 9—Relative to Joint Rules of Senate and Assembly;

Also: Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this thirty-first day of January, 1923, at ten o'clock and thirty minutes a.m.

GATES, DR., Chairman.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator A. Burlingame Johnson: Senate Bill No. 401—An act providing rules and regulations governing reforestation, under which exemption from taxation may be obtained.

Bill read first time, and referred to Committee on Conservation.

By Senator Lewis: Senate Bill No. 402—An act to authorize the State Board of Control to lease certain land belonging to the State of California, situated in the county of Los Angeles, and providing for the disposition of the moneys received under such leases.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Lyon: Senate Bill No. 403—An act to amend section 1557 of the Penal Code, relating to extradition.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hurley: Senate Bill No. 404—An act relating to the paving and repair of highways within municipalities which form a part of the State or county highway system, and requiring the State or county officials, as the case may be, to pave and repair such highways whenever they constitute a part of such a system and the funds therefor have been raised by a bond issue or special tax, and repealing an act entitled "An act relating to the paving of highways within municipalities, and requiring the board of supervisors of any county to pave such highways whenever they constitute part of a county highway system, and the funds therefor have been raised by a bond issue or special tax," approved May 23, 1921.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 405—An act to amend section 628 of the Penal Code, relative to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Ingram: Senate Bill No. 406—An act appropriating \$500 for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing a State Forester to protect such area.

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 409—An act to amend section 636 of the Penal Code, relative to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 410—An act authorizing the acquisition, construction, improvement, maintenance and control of the uncompleted portions of all the State highways; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said highways and certain extensions therefrom; creating a revolving fund to be used by the State Highway Commission for the purposes of this act; creating a sinking fund for the payment of such bonds; and providing for the submission of this act to a vote of the people.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 411—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license fees, and prescribing penalties for violation of the provisions of said act.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Canepa: Senate Bill No. 412—An act to add a new section to the Penal Code to prohibit fishing off of dams in California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls.

Bill read first time, and referred to Committee on Elections.

By Senator Slater: Senate Bill No. 414—An act appropriating money for the alteration of the receiving and isolation hospital at the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 415—An act appropriating money for the purchase of equipment for the receiving and isolation hospital at the Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Osborne: Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Dennett: Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24,

1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 418—An act to provide for the organization and government of colonization districts, and to provide for the subdivision, development and settlement of the lands included therein.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 419—An act creating an irrigation district, to be known as the San Joaquin River Irrigation District, prescribing its boundaries, and providing for the management and control thereof.

Bill read first time, and referred to Committee on Irrigation.

By Senator Godsil: Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 421—An act requiring motor vehicles to be equipped with speedometers.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Harris: Senate Bill No. 422—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Powers: Senate Bill No. 423—An act relating to the control and eradication of contagious and infectious diseases among domestic live stock; relating to the procedure in effectively coping with emergencies as they arise, and providing an appropriation to carry out the provisions of this act.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry Contingent Fund.

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 425—An act to amend section 626s of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Handy: Senate Bill No. 426—An act to amend section 2169 of the Political Code, relating to the deportation of nonresidents.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 427—An act to add a new section to the Political Code to be numbered 1734c, relating to the change of boundaries of high school districts.

Bill read first time, and referred to Committee on Education.

By Senator Boggs: Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 429—An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911."

Bill read first time, and referred to Committee on Judiciary.

By Senator Gray: Senate Bill No. 430—An act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907, as amended, by amending sections 3, 4, 15 and 16 thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Boggs: Senate Bill No. 431—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Gates, E. J.: Senate Bill No. 432—An act to amend sections 2, 3, 11a, 12, 19 and 20a of, and to add a new section to be numbered 9a, to, an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act" approved May 27, 1919, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Senator Eden: Senate Bill No. 433—An act to validate bonds of the city of Fullerton, in Orange County.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California."

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924.

Bill read first time, and referred to Committee on Finance.

By Senator Allen: Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Sharkey: Senate Bill No. 439—An act to amend section 628a of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 440—An act to amend section 636 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 441—An act to amend section 634 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532*a*, relating to the apportionment of State school funds.

Bill read first time, and referred to Committee on Education.

By Senator Johnson, M. B.: Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 445—An act to add a new section to the Political Code to be numbered section 362*f*, relating to the powers of the State Department of Education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

Bill read first time, and referred to Committee on Education.

By Senators Johnson, M. B., Burnett, Murphy, Godsil, Gray, Crowley, McDonald and Canepa: Senate Bill No. 447—An act creating the Peninsula Development District, conferring certain powers thereon and providing for the exercise thereof.

Bill read first time, and referred to Committee on Manufactures

By Senator Carr: Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled, "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 449—An act to amend sections 362*a* and 362*b*, 362*c* and 362*d* of the Political Code, relating to the Department of Education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as

amended, and repealing an act entitled "An act to add a new section to the Political Code to be numbered 1527a, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

Bill read first time, and referred to Committee on Education.

By Senator Dennett: Senate Bill No. 451—An act to amend sections 1205, 1206, 1214 and 1215 of the Penal Code, relative to imprisonment and fines.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sample: Senate Bill No. 452—An act to amend an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Senator Luman: Senate Bill No. 453—An act to define and regulate the business of insurance; to provide for making, filing and publishing reports; to regulate rates and rating bureaus; to provide penalties for violations of provisions of this act.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 454—An act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a State policy to encourage the cultivation of soil; declaring a State policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said applications and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this act and repealing acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Jones: Senate Bill No. 455—An act to amend sections 5 and 7 of an act entitled: "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Civil Service.

Also: Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 457—An act to amend section 464 of the Penal Code, relating to burglary and the punishment thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gray: Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds" approved June 16, 1913, by amending section 5 thereof.

Bill read first time, and referred to Committee on Education.

The following resolutions were offered:

By Senator Slater: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the Constitution of the State of California, relating to the giving or lending of public credit.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Johnson, M. B.: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article XVI thereof a new section to be numbered 4, providing for the abandonment of portions of State highway lying within the boundary limits of municipal corporations by the State Department of Public Works.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Burnett: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII

thereof a new section, to be numbered 12 $\frac{1}{2}$, relative to revenue and taxation.

Constitutional amendment referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 31, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 385. An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness—and reports that the same has been correctly engrossed.

HANDY, Vice Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 31, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, Chairman.

Senate Bill No. 385 ordered on file for second reading.

CASE OF URGENCY.

The following resolution was offered:

By Senator Gates, E. J.:

Resolved, That Senate Bill No. 385 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and section 15 of article IV of the constitution suspended by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. R., Jones, Lewis, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 385.

Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read second time.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Ambrose, Briggs, Broad, Burnett, Carr, Chamberlain, Creighton, DeWitt, Egan, Gales, E. J. Gales, Gray, Handy, Harris, Harbo, Ingraham, Johnson, Johnson, A. B., Johnson, M. B., Jones, Leavis, Murphy, Osbourne, Powers, Richmond, Russ, Sandoz, Sargent, Shattuck, and Smith—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 385 passed by the following vote:

AYES—Senators Allen, Ambrose, Briggs, Broad, Burnett, Carr, Chamberlain, Creighton, DeWitt, Egan, Gales, E. J. Gales, Gray, Harris, Harbo, Harbo, Ingraham, Johnson, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Osbourne, Powers, Richmond, Russ, Sargent, Shattuck, Shattuck, and West—31.

NOES—None.

Title read and approved.

Senate Bill No. 385 ordered transmitted to the Assembly.

RESOLUTION—OUT OF ORDER

The following resolution was offered out of the regular order:

By Senator McDonald:

WHEREAS, The need and for remedying spread of the drug habit has become a most serious menace in all parts of this country; and

WHEREAS, Mrs. W. H. Rose, after the great sacrifice of losing her husband has been able to make a still further sacrifice by the presentation of the screen of a great moral lesson, saving the future of the nation of the drug habit; and

WHEREAS, A most national emergency is just starting which will have behind it all of the good wishes of the nation; and

WHEREAS, The national results and influence for morality of a great national production of the screen, saving the future of the nation of the drug habit would be far reaching in its results, here this day, be it

Resolved, By the Senate that this body endorse and give its hearty approval to the making of such a production and the teaching of a first great moral lesson in this country.

Referred to Committee on Public Morals.

CONSIDERATION OF SIXTH BILL

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED FIVE.

Senate Bill No. 205—An act authorizing and instructing the State Comptroller and the State Treasury to accept from the directors of the Sixth District Agricultural Association as full satisfaction and in complete compliance with the terms of that certain act entitled, "An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special exhibitions at Exposition Park, Los Angeles," approved June 1, 1917, the sum of \$114,139.41, in cash already deposited in the State Treasury, and the inventory of permanent improvements made upon the State's property at Exposition Park, Los Angeles, from funds of the revolving fund provided in the above mentioned act.

Senate Bill No. 205 ordered on file for third reading.

ADJOURNMENT.

At eleven o'clock and forty-five minutes a. m., on motion of Senator Broad, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Thursday, February 1, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Dr. Gates, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 31, 1923, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on January 31 passed as case of urgency Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Bill No. 357 referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 14—Relative to the indorsement of the "Capper-French Truth in Fabric Bill"; to require woolen manufacturers to indicate by labels the percentage of virgin wool in fabrics.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Assembly Joint Resolution No. 14 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 7—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Assembly Concurrent Resolution No. 7 referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 31, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 5—An act to amend section 12 of an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and in incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429, approved May 31, 1917, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; noes—0.

CARR, Chairman.

Senate Bill No. 5 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 2—Approving the charter of the city of Chico, State of California, voted for and ratified by the qualified voters of the said city of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921, has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; noes—0.

CARR, Chairman.

Assembly Concurrent Resolution No. 2 ordered on file.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 31, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of travel and trial jurors in such counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9; noes—0.

SWING, Chairman.

Assembly Bill No. 357 read first time, and ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 3—Relative to approving the Colorado River Pact—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5; noes—0.

EDEN, Chairman.

Assembly Joint Resolution No. 3 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5; noes—0.

EDEN, Chairman.

Assembly Joint Resolution No. 6 ordered on file.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 181—An act to add a new section to the Penal Code to be

numbered 1171, relating to the release of convicts on parole, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ALLEN, Chairman.

Senate Bill No. 181 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 205. An act authorizing and instructing the State Controller and the State Treasurer to accept from the directors of the Sixth District Agricultural Association as full satisfaction and in complete compliance with the terms of that certain act entitled "An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special expositions at Exposition Park, Los Angeles," approved June 1, 1917, the sum of \$11,413.94, in cash already deposited in the State Treasury, and the inventory of permanent improvements made upon the State's property at Exposition Park, Los Angeles, from funds of the revolving fund provided in the above mentioned act—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, JEDLEY 31, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley Irrigation District under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended:

Also: Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership: 6; committee vote, Ayes—5, absent—1.

DENNETT, Chairman.

Senate Bills Nos. 89 and 124 ordered on file for second reading.

CASES OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV section 34 of the constitution, as amended November 7, 1922, providing that "until the budget bill has been finally adopted, neither House shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor, or appropriations for the salaries, mileage and expenses of the Senate and Assembly"; the Governor presented the following communication recommending the passage of Senate Bill No. 196.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate of the State of California.

Senate Bill No. 196, making an appropriation to meet a deficiency in appropriation for printing and distributing constitutional amendments, is, in my opinion, an urgency measure, and this bill is an emergency bill, and I therefore recommend its passage.

Respectfully submitted.

F. W. RICHARDSON, Governor.

Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency clause passed by the following vote:

AYES—Senators Allen, Arbutuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Dr. Gates, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 196 passed by the following vote:

AYES—Senators Allen, Arbutuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Dr. Gates, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Senate Bill No. 196 ordered transmitted to the Assembly.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV section 34 of the constitution the Governor presented the following communication recommending the passage of Senate Bill No. 186:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate of the State of California.

Senate Bill No. 186, making an appropriation for the completion of the State building at San Francisco, is, in my opinion, an urgency measure, and this bill is an emergency bill and I therefore recommend its passage.

Respectfully submitted,

F. W. RICHARDSON, Governor.

Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbutuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Dr. Gates, Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 186 passed by the following vote:

AYES—Senators Allen, Arbutuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Dr. Gates, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Senate Bill No. 186 ordered transmitted to the Assembly.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 182:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate of the State of California.

Senate Bill No. 182, making an appropriation for the completion of the printing plant at Sacramento, is, in my opinion, an urgency measure, and this bill is an emergency bill and I therefore recommend its passage.

Respectfully submitted,

F. W. RICHARDSON, Governor.

Senate Bill No. 182 An act making an appropriation for the completion of the printing plant at Sacramento.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Dr. Gates, Gates, E. J., Gadsil, Gray, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 182 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gadsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Senate Bill No. 182 ordered transmitted to the Assembly.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, and on motion of Senator Breed, ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California

Pursuant to the provisions of the University of California Building and Sinking Fund Act of 1914, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted,

F. W. RICHARDSON, Governor.

REPORT OF UNIVERSITY OF CALIFORNIA BUILDING AND SINKING FUND ACT OF 1914.
To His Excellency,

FRIEND W. RICHARDSON,
Governor.

SIR: We submit herewith a report of the proceedings under the said act for the year beginning January 1, 1922, and ending December 31, 1922, according to the provisions of section 7 of said act.

Dated Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF UNIVERSITY OF CALIFORNIA BUILDING AND SINKING FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance			\$40,000 00
June 8	To transfer from General Fund		\$38,700 00	
Dec. 14	To transfer from General Fund		78,730 00	
				117,400 00
				<hr/> \$157,400 00
		Disbursements.		
Jan. 16	By redemption of bonds		\$40,000 00	
June 12	By payment semi-annual interest		38,700 00	
Dec. 19	By payment semi-annual interest		38,700 00	
Dec. 19	By redemption of bonds		40,000 00	
				<hr/> \$157,400 00
Balance December 31, 1922				none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 235, Statutes of 1913, I transmit herewith copy of the joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted,

F. W. RICHARDSON, Governor.

REPORT OF SACRAMENTO STATE BUILDING FUND, AND SACRAMENTO STATE BUILDING SINKING FUND, UNDER THE SACRAMENTO STATE BUILDING ACT OF 1913.

To His Excellency,

FRED W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 235, Statutes of 1913, we submit herewith a report of the proceedings under said chapter of Sacramento State Building Fund and Sacramento State Building Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CILAS G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF SACRAMENTO STATE BUILDING FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance			\$2,865,234 30
June 21	To Department Public Works		\$219 60	
Nov. 16	To Department Public Works		233 28	
				452 88
				<hr/> \$2,865,687 18
		Disbursements.		
Jan.	By payments to Department Public Works		\$1,072 84	
Mar.	By payments to Department Public Works		1,479 39	
Apr.	By payments to Department Public Works		210 30	
May	By payments to Department Public Works		18,189 68	
June	By payments to Department Public Works		6,672 41	
July	By payments to Department Public Works		24,110 63	
Aug.	By payments to Department Public Works		17,323 47	
Sept.	By payments to Department Public Works		374 95	
Oct.	By payments to Department Public Works		15,292 03	
Nov.	By payments to Department Public Works		33,122 77	
Dec.	By payments to Department Public Works		63,222 47	
				<hr/> \$181,830 94
Balance December 31, 1922				<hr/> \$2,683,856 24

REPORT OF SACRAMENTO STATE BUILDING SINKING FUND, YEAR 1922.

		Receipts.	
Date	Item	Amount	Total
Jan. 1	To balance		\$55,348 17
Jan. 9	To State Treasurer interest	82,115 00	
June 8	To transfer from General Fund	60,000 00	
July 1	To transfer from General Fund	50,000 00	
July 5	To State Treasurer interest	3,635 00	
Dec. 14	To transfer from General Fund	60,000 00	
			176,050 00
			<hr/>
			8231,398 17
		Disbursements.	
Mar.	By purchase of bonds	\$55,761 78	
May 11	By purchase of bonds	384 10	
June 12	By payment semi-annual interest	60,000 00	
July 1	By purchase of bonds	46,779 88	
Sept.	By purchase of bonds	4,882 11	
Dec. 19	By payment semi-annual interest	60,000 00	
			<hr/>
			\$228,410 87
			<hr/>
Balance December 31, 1922			82,987 30

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 7, chapter 541, Statutes of 1913, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted

F. W. RICHARDSON, Governor.

REPORT OF SAN FRANCISCO STATE BUILDING FUND AND SAN FRANCISCO STATE BUILDING SINKING FUND.

To His Excellency,

FRED W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 7, chapter 541, Statutes of 1913, we beg to submit a report of the proceedings under said chapter of San Francisco State Building Fund and San Francisco State Building Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.

RAY L. RILEY, State Controller.

By C. E. COOPER, Deputy.

REPORT OF SAN FRANCISCO STATE BUILDING SINKING FUND, YEAR 1922.

		Receipts.	
Date	Item	Amount	Total
Jan. 1	To balance		none
June 8	To transfer from General Fund	\$37,600 00	
Dec. 14	To transfer from General Fund	17,200 00	
			54,800 00
			<hr/>
			54,800 00
		Disbursements.	
June 12	Redemption of bonds	\$20,000 00	
June 12	Payment semi-annual interest	17,600 00	
Dec. 19	Payment semi-annual interest	17,200 00	
			<hr/>
			\$54,800 00
			<hr/>
Balance December 31, 1922			none

REPORT OF SAN FRANCISCO STATE BUILDING FUND, YEAR 1922.

		Receipts.	
Date	Item	Amount	Total
Jan. 1	To balance		\$222,798 10
Jan. 16	To Department Public Works	\$87 77	
Feb. 8	To Department Public Works	143 78	
Mar. 30	To Department Public Works	231 24	
May 17	To Department Public Works	31,925 25	
June 21	To Department Public Works	466 67	
			<hr/>
			32,775 71
			<hr/>
			\$255,573 81

REPORT OF SAN FRANCISCO STATE BUILDING FUND, YEAR 1922. Continued.

Report of SAN FRANCISCO STATE BUSINESS FUND, YEAR 1922				Amount	Total
Date	By	Disbursements			
				870,067 68	
Jan.	By payments to Department	Public Works		24,479 75	
Feb.	By payments to Department	Public Works		4,285 07	
Mar.	By payments to Department	Public Works		1,525 60	
Apr.	By payments to Department	Public Works		26,243 93	
May	By payments to Department	Public Works		2,651 41	
June	By payments to Department	Public Works		8,551 50	
Aug.	By payments to Department	Public Works		8,562 57	
Sept.	By payments to Department	Public Works		12,456 54	
Nov.	By payments to Department	Public Works		18,927 18	
Dec.	By payments to Department	Public Works			876,820 33
Balance December 31, 1922					878,753 48

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 407, Statutes of 1909, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted,

F. W. RICHARDSON, Governor.

REPORT OF INDIA BASIN FUND AND INDIA BASIN SINKING FUND, ACT OF 1909.

To His Excellency,

FRED W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 407, Statutes of 1909, we submit herewith a report of the proceedings under said chapter of the India Basin Fund and India Basin Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CLAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF INDIA BASIN FUND, YEAR 1922.

Date		Receipts.		Amount	Total
Jan.	1	To balance		none	\$451 28
Jan.	1	To receipts			
					\$451 28
		Disbursements.		Amount	Total
By payments				none	
Balance December, 1922					\$451 28

REPORT OF INDIA BASIN SINKING FUND, YEAR 1922.

Date		Receipts.		Amount	Total
					none
Jan.	1	To balance		\$2,843 33	
Jan.	3	To transfer from S. F. H. I. Fund		2,843 35	
Feb.	1	To transfer from S. F. H. I. Fund		2,843 33	
Mar.	1	To transfer from S. F. H. I. Fund		2,843 33	
April	1	To transfer from S. F. H. I. Fund		2,843 33	
May	1	To transfer from S. F. H. I. Fund		2,843 33	
June	1	To transfer from S. F. H. I. Fund		2,843 33	
June	8	To transfer from General Fund		2,843 33	
July	1	To transfer from S. F. H. I. Fund		2,843 35	
Aug.	1	To transfer from S. F. H. I. Fund		2,843 33	
Sept.	1	To transfer from S. F. H. I. Fund		2,843 33	
Oct.	1	To transfer from S. F. H. I. Fund		2,843 33	
Nov.	1	To transfer from S. F. H. I. Fund		2,843 33	
Dec.	1	To transfer from S. F. H. I. Fund		2,843 33	
Dec.	14	To transfer from General Fund			\$39,806 66
					\$39,806 66

REPORT OF INDIAN BASIN SINKING FUND, YEAR 1922—Continued.

Date	Item	Amount	Total
Disbursements.			
Jan. 3	By transfer to General Fund	\$2,843 33	
June 12	By payment semi-annual interest	17,060 00	
July 1	By transfer to General Fund	2,843 33	
Dec. 19	By payment semi-annual interest	17,060 00	
			\$39,806 66
Balance December 31, 1922			none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 7, chapter 383, Statutes of 1909, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted.

F. W. RICHARDSON, Governor.

REPORT OF STATE HIGHWAY SINKING FUND.

*To His Excellency,*FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 7, chapter 383, Statutes of 1909, we beg to submit a report of the proceedings of the State Highway Sinking Fund for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.

RAY L. RILEY, State Controller.

By C. E. COOPER, Deputy.

REPORT OF STATE HIGHWAY SINKING FUND, YEAR 1922.

		Receipts.	Amount	Total
Date		Item		
Jan. 1	To balance			none
June 8	To transfer from General Fund		\$720,000 00	
Dec. 14	To transfer from General Fund		312,000 00	
				\$1,032,000 00
		Disbursements.		\$1,032,000 00
June 12	By redemption of bonds		\$400,000 00	
	By payment semi-annual interest		320,000 00	
Dec. 19	By payment semi-annual interest		312,000 00	
				\$1,032,000 00
Balance December 31, 1922				none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 7, chapter 404, Statutes of 1915, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted.

F. W. RICHARDSON, Governor.

REPORT OF SECOND STATE HIGHWAY FUND AND SECOND STATE HIGHWAY SINKING FUND, UNDER THE STATE HIGHWAYS ACT OF 1915.

*To His Excellency,*FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 7, chapter 404, Statutes of 1915, we submit herewith a report of the proceedings under said chapter of Second State Highway Fund, and Second State Highway Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.

RAY L. RILEY, State Controller.

By C. E. COOPER, Deputy.

REPORT OF SECOND STATE HIGHWAY, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance			\$1,014,476 41
Jan. 3	-To Department Public Works		89 08	
Feb. 2	-To Department Public Works		57 46	
Feb. 28	-To Department Public Works		58,695 44	
April 3	-To Department Public Works		5,683 50	
May 25	-To Department Public Works		32,082 37	
June 1	-To Department Public Works		80,854 41	
June 29	-To Department Public Works		41 25	
				177,423 51
				\$1,191,899 92

Disbursements.

Jan.	By payments to Department Public Works	\$335,661 17
Feb.	By payments to Department Public Works	639,783 39
Mar.	By payments to Department Public Works	74,492 16
April	By payments to Department Public Works	855 00
May	By payments to Department Public Works	28,543 73
June	By payments to Department Public Works	66,484 50
July	By payments to Department Public Works	5,769 07
Aug.	By payments to Department Public Works	40,145 87
Sept.	By payments to Department Public Works	255 03
		\$1,191,899 92

Balance December 31, 1922

none

REPORT OF SECOND STATE HIGHWAY SINKING FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance			none
June 8	To transfer from General Fund		\$337,500 00	
Dec. 14	-To transfer from General Fund		337,500 00	\$675,000 00
				\$675,000 00

Disbursements.

June 12	By payment semi-annual interest	\$337,500 00
Dec. 19	By payment semi-annual interest	337,500 00
		\$675,000 00

Balance December 31, 1922

none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of the Third State Highway Fund and the Third State Highway Sinking Fund, I transmit herewith a copy of the joint reports of the State Treasurer and the State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted.

F. W. RICHARDSON, Governor.

REPORT OF THIRD HIGHWAY FUND AND THIRD HIGHWAY SINKING FUND.

*To His Excellency,*FRIEND W. RICHARDSON,
Governor.

SIR: We submit herewith a report of the proceedings of the Third State Highway Fund and Third State Highway Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CLAS. G. JOHNSON, State Treasurer.

RAY L. RILEY, State Controller.

By C. E. COOPER, Deputy.

REPORT OF THIRD STATE HIGHWAY FUND, YEAR 1922

Receipts.				
Date	Item	Amount	Total	
Jan. 1	To balance		810,716,657 02	
	To Department Public Works	883,613 38		
	To U. S. Department Agriculture	338,060 00		
Feb. 1	To Department Public Works	70,911 73		
	To U. S. Department Agriculture	317,733 75		
Mar. 1	To U. S. Department Agriculture	53,711 40		
April 1	To U. S. Department Agriculture	266,797 82		
	To Department Public Works	162,597 76		
May 1	To U. S. Department Agriculture	43,343 56		
June 1	To U. S. Department Agriculture	362,222 87		
	To Department Public Works	83,888 98		
July 1	To Department Public Works	83,801 02		
Aug. 1	To Department Public Works	85,680 69		
	To U. S. Department Agriculture	71,272 96		
Sept. 1	To U. S. Department Agriculture	387,118 06		
	To Department Public Works	25,023 74		
Oct. 1	To Department Public Works	89,793 41		
	To U. S. Department Agriculture	232,752 79		
Nov. 1	To U. S. Department Agriculture	84,950 76		
	To Department Public Works	331,537 67		
Dec. 1	To Department Public Works	993,396 76		
	To U. S. Department Agriculture	497,634 74		
			4,519,173 85	
			815,235,830 87	
Disbursements.				
Jan.	By payments to Department Public Works	8527,059 08		
Feb.	By payments to Department Public Works	235,566 20		
Mar.	By payments to Department Public Works	688,540 35		
April	By payments to Department Public Works	1,369,109 28		
May	By payments to Department Public Works	1,295,049 10		
June	By payments to Department Public Works	1,313,119 96		
July	By payments to Department Public Works	1,614,934 49		
Aug.	By payments to Department Public Works	1,645,993 49		
Sept.	By payments to Department Public Works	1,405,800 51		
Oct.	By payments to Department Public Works	1,724,648 65		
Nov.	By payments to Department Public Works	1,169,175 88		
Dec.	By payments to Department Public Works	1,312,352 31		
			814,501,649 30	
Balance in fund December 31, 1922			8794,181 57	

REPORT OF THIRD STATE HIGHWAY INTEREST AND SINKING FUND, YEAR 1922.

Receipts.				
Date	Item	Amount	Total	
Jan. 1	To balance		858,310 00	
June 8	To transfer from General Fund	8626,737 50		
Dec. 14	To transfer from General Fund	626,737 50		
			1,253,475 00	
			81,311,785 00	
Disbursements.				
Jan. 17	By payment semi-annual interest	858,310 00		
June 20	By payment semi-annual interest	626,737 50		
Dec. 14	By payment semi-annual interest	626,737 50		
			81,311,785 00	
Balance December 31, 1922			none	

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 211, Statutes of 1903, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted.

F. W. RICHARDSON, Governor.

REPORT OF SAN FRANCISCO SEAWALL SINKING FUND.

*To His Excellency,*FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 211, Statutes of 1903, we herewith submit a report of the proceedings under the provisions of said chapter of San Francisco Seawall Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.

RAY L. RILEY, State Controller.

By C. E. COOPER, Deputy.

REPORT OF SAN FRANCISCO SEAWALL SINKING FUND, YEAR 1922.

Receipts.

Date	Item	Amount		Total
		For principal	For interest	
Jan. 1	To balance			\$109,509 86
Jan. 3	To transfer S. F. H. I. Fund	\$9,722 22	\$1,366 66	
Feb. 1	To transfer S. F. H. I. Fund	9,583 35	766 70	
Mar. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
April 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
May 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
June 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
July 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Aug. 1	To transfer S. F. H. I. Fund	9,583 35	766 70	
Sept. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Oct. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Nov. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Dec. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Dec. 14	To transfer General Fund	9,583 33	766 66	
		\$124,722 22	\$10,366 66	135,088 88

\$244,598 74

Disbursements.

Jan. 11	By redemption of bonds	\$120,000 00		
June 12	By payment semi-annual interest		\$4,600 00	
Dec. 19	By payment semi-annual interest		4,600 00	
Dec. 19	By redemption of bonds	115,000 00		
		\$235,000 00	\$9,200 00	\$244,200 00

Balance December 31, 1922----- \$398 74

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 320, Statutes of 1909, I submit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted.

F. W. RICHARDSON, Governor.

REPORT OF SECOND SAN FRANCISCO SEAWALL SINKING FUND, AND SAN FRANCISCO SEAWALL FUND, UNDER SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1909.

*To His Excellency,*FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 320, Statutes of 1909, we submit herewith a report of the proceedings under said chapter of the Second San Francisco Seawall Fund and Second San Francisco Seawall Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.

RAY L. RILEY, State Controller.

By C. E. COOPER, Deputy.

REPORT OF SECOND SAN FRANCISCO SEAWALL FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance	-----		\$1,000 00
	To receipts	-----	none	
				<hr/>
				\$1,000 00
		Disbursements.		
	By payments	-----	none	
				<hr/>
Balance December 31, 1922				\$1,000 00

REPORT OF SECOND SAN FRANCISCO SEAWALL SINKING FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance	-----		none
Jan. 3	To transfer from S. F. H. I. Fund	-----	\$30,000 00	
Feb. 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
Mar. 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
April 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
May 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
June 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
June 8	To transfer from General Fund	-----	30,000 00	
July 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
Aug. 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
Sept. 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
Oct. 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
Nov. 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
Dec. 1	To transfer from S. F. H. I. Fund	-----	30,000 00	
Dec. 14	To transfer from General Fund	-----	30,000 00	
				<hr/>
				\$420,000 00
				<hr/>
				\$420,000 00
		Disbursements.		
Jan. 3	By transfer to General Fund	-----	\$30,000 00	
June 8	By payment semi-annual interest	-----	180,000 00	
July 1	By transfer to General Fund	-----	30,000 00	
Dec. 19	By payment semi-annual interest	-----	180,000 00	
				<hr/>
				\$420,000 00
				<hr/>
Balance December 31, 1922				none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 602, Statutes of 1913, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted,

F. W. RICHARDSON, Governor.

REPORT OF THIRD SAN FRANCISCO SEAWALL FUND, AND THIRD SAN FRANCISCO SEAWALL SINKING FUND, UNDER THE SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1913.

*To His Excellency,*FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 602, Statutes of 1913, we submit herewith a report of the proceedings under said chapter of the Third San Francisco Seawall Fund, and Third San Francisco Seawall Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.

RAY L. RILEY, State Controller.

By C. E. COOPER, Deputy.

REPORT OF THIRD SAN FRANCISCO SEAWALL FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance			\$1,000,899 61
Jan. 1	—To receipts		none	
				<hr/>
				\$1,000,899 61
		Disbursements.		
April 25	By payments		\$49,106 63	
June 6	By payments		30,834 39	
June 30	By payments		12,562 16	
Aug. 3	By payments		39,399 49	
Sept. 29	By payments		58,813 75	
Nov. 29	By payments		58,813 75	
				<hr/>
				\$249,530 17
				<hr/>
Balance December 31, 1922				\$751,369 44

REPORT OF THIRD SAN FRANCISCO SEAWALL SINKING FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	To balance			none
Jan. 3	—To transfer from S. F. H. I. Fund		\$9,444 44	
Feb. 1	—To transfer from S. F. H. I. Fund		10,000 00	
Mar. 1	—To transfer from S. F. H. I. Fund		10,000 00	
April 1	—To transfer from S. F. H. I. Fund		10,000 00	
May 1	—To transfer from S. F. H. I. Fund		10,000 00	
June 1	—To transfer from S. F. H. I. Fund		10,000 00	
June 8	—To transfer from General Fund		10,000 00	
July 1	—To transfer from S. F. H. I. Fund		10,000 00	
Aug. 1	—To transfer from S. F. H. I. Fund		10,000 00	
Sept. 1	—To transfer from S. F. H. I. Fund		10,000 00	
Oct. 1	—To transfer from S. F. H. I. Fund		10,000 00	
Nov. 1	—To transfer from S. F. H. I. Fund		10,000 00	
Dec. 1	—To transfer from S. F. H. I. Fund		10,000 00	
Dec. 14	—To transfer from S. F. H. I. Fund		10,000 00	
				<hr/>
				\$139,444 44
				<hr/>
				\$139,444 44
		Disbursements.		
Jan. 3	—Transfer to General Fund		\$9,444 44	
June 12	—Payment semi-annual interest		60,000 00	
July 1	—Transfer to General Fund		10,000 00	
Dec. 19	—Payment semi-annual interest		60,000 00	
				<hr/>
				\$139,444 44
				<hr/>
Balance December 31, 1922				none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

I transmit herewith copy of the joint reports of the State Treasurer and State Controller of their proceedings under section 105 of the Land Title Law of the Statutes of 1915, being an initiative measure of 1915, for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted.

F. W. RICHARDSON, Governor.

REPORT OF TORRENS TITLE ASSURANCE FUND, YEAR 1922.

*To His Excellency,*FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of the Land Title Law, section 105, Statutes of 1915, being an initiative of 1915, under section 1, article IV, of the State constitution, we submit herewith a report of the proceedings for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF TORRENS TITLE ASSURANCE FUND, YEAR 1922.

		Receipts.	Amount	Total
Date	Item			
Jan. 1	—To balance	-----		\$19,673 07
Jan. 9	To Recorder Los Angeles County	-----	\$63 01	
Jan. 20	To Recorder Orange County	-----	7 73	
Feb. 6	To Recorder Sonoma County	-----	7 95	
Feb. 7	To Recorder Kern County	-----	10 41	
Feb. 7	To Recorder Humboldt County	-----	1 38	
Feb. 15	To Recorder Los Angeles County	-----	100 91	
Mar. 6	To Recorder Sonoma County	-----	64 05	
Mar. 8	To Recorder Los Angeles County	-----	28 22	
Mar. 21	To Recorder Orange County	-----	18 67	
April 6	To Recorder San Diego County	-----	4 16	
April 10	To Recorder Los Angeles County	-----	114 17	
May 6	To Recorder San Diego County	-----	5 29	
May 8	To Recorder Los Angeles County	-----	97 21	
May 15	To Recorder Orange County	-----	132 08	
June 9	To Recorder Fresno County	-----	1 12	
June 9	To Recorder San Diego County	-----	38	
June 9	To Recorder Los Angeles County	-----	13 51	
July 10	To Recorder Los Angeles County	-----	71 56	
Aug. 10	To Recorder Los Angeles County	-----	53 87	
Sept. 7	To Recorder Santa Barbara County	-----	113 87	
Sept. 14	To Recorder San Diego County	-----	2 56	
Sept. 14	To Recorder Los Angeles County	-----	83 15	
Oct. 5	To Recorder Sonoma County	-----	75 93	
Oct. 9	To Recorder Los Angeles County	-----	117 71	
Nov. 10	To Recorder Los Angeles County	-----	106 54	
Dec. 4	To Recorder San Bernardino County	-----	25 02	
Dec. 8	To Recorder Los Angeles County	-----	61 08	
				1,381 54
				\$21,054 61

Disbursements.

July 21	—By purchase of \$20,000.00 bonds San Francisco Harbor Improvement 1913	-----	\$19,356 53	
				\$19,356 53
Balance December 31, 1922			-----	\$1,698 08

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300.00) for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

LEWIS, Chairman.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Dr. Gates, Gates, E. J. Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B. Johnson, M. B. Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate Attaches, and her name be stricken from the pay roll of the Senate:

Gertrude Thompson, Stenographer----- \$5 00 per day

Resolution adopted.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED FIFTY-SEVEN —
OUT OF ORDER.

CASE OF URGENCY.

The following resolution was offered:

By Senator Slater:

Resolved, That Assembly Bill No. 357 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and section 15 of article IV of the constitution suspended by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Dr. Gates, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Assembly Bill No. 357.

Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Bill read second time.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—34.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 357 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Assembly Bill No. 357 ordered transmitted to the Assembly.

COMMUNICATION.

The following communication was presented by Senator Jones, and ordered printed in the Journal:

550 SOUTH SIXTH STREET,

SAN JOSE, CALIFORNIA, January, 31, 1923.

To the Members of the Senate of the State of California, Sacramento, California.

GENTLEMEN: You are cordially invited to be the guests of the Child Welfare Research Station organization at a luncheon to be given on Saturday, February 17, at 12.30 o'clock at the Hotel Bellevue, San Francisco.

A fine luncheon and splendid program with nationally known speakers have been arranged for, and the honor of your presence is earnestly desired.

Will those who can accept kindly notify the undersigned?

(Mrs.) JOSEPHINE RAND ROGERS,

San Jose, California.

RESOLUTIONS.

The following resolutions were offered:

By Senator McDonald:

WHEREAS, The consumption of narcotic drugs in the United States now amounts to 36 grains per capita as against 1 to 3 grains per capita for European countries; and

WHEREAS, The federal statistics show that the traffic in morphine, cocaine, heroin and prepared opium has nearly trebled in volume in this country within the past two years; and

WHEREAS, Drug addiction now has been proven to exist in large cities and small towns alike and in all sections of the United States and in many walks of life; and

WHEREAS, These facts powerfully demonstrate the need for prompt education of the American people, young and old, to the terrible results of the narcotic habit upon health and morals and the growth of crime; therefore, be it

Resolved, That the President of the United States be respectfully requested and urged to proclaim an Anti-Narcotic Week early in 1923, as a means of mobilizing this organization and all public-spirited bodies for the work of arousing the American people to the gravity of this menace, and aligning public opinion behind the task of narcotic suppression.

Also:

WHEREAS, Customs seizures of narcotic drugs at the port of San Francisco have increased from a wholesale valuation of \$78,571 in 1920 to that of \$205,679 in 1922, indicating a tremendous increase in smuggling activities from foreign sources; and

WHEREAS, The persistence of this illicit traffic, despite the large seizures made, indicates the huge profits that arise from the recent grave increase of drug addiction in the United States; and

WHEREAS, This is a truly international problem, since the supplies of opium, morphine, cocaine, heroin and marijuana come entirely from foreign sources and can only be controlled at the source of supply; therefore, be it

Resolved, That the President of the United States be respectfully but urgently petitioned to bring about an international conference on the narcotic problem, with a view to securing the limitation by treaty of the basic production of poisonous drugs which constitute a major menace to American life; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Governor of California, the United States Senators from California, the Congressman and State Senator and Assemblyman from this district, and the press.

Resolutions referred to Committee on Public Morals.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Members of the Senate and Assembly.

In accordance with the requirements of section 34 of article IV of the constitution as amended at the recent general election I submit herewith to you a budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing laws or recommended by me, and of all institutions, departments, boards, bureaus, commissions, officers, employees, and other agencies, and of all estimated revenue, for each fiscal year of the ensuing biennial period, being from July 1, 1923, to June 30, 1925; together with a comparison as to each item of revenue and expenditure for the first fiscal year of the present biennial period, being the period from July 1, 1921, to June 30, 1922; and the actual and estimated revenues

and expenditures for the second fiscal year of the present biennial period, being the period from July 1, 1922, to June 30, 1923.

The budget herewith submitted does not exceed the estimated revenues for the ensuing biennial period and hence it is unnecessary for me to recommend the source from which additional revenue shall be provided.

The budget presented herewith totals \$78,974,628.55, and the estimated revenues are \$85,237,000 of which \$5,200,000 is not available on account of litigation. In preparing this budget I have been aided by the members of the Board of Control who have worked strenuously to complete it in the very short time allowed by law. The members of the board are entitled to great credit for their efficient service to the State. The new members of the board took office on the tenth instant and have had barely three weeks to complete a task which should have consumed three months. The convening of the Legislature, the induction of a new administration into office, and the going into effect of the new budget amendment, all at the same time, have made it impossible to present a budget sooner. It has not been possible to make a full survey of the various State departments as desired. The constitution provides that the Governor may at any time amend or supplement the budget, and during your recess the board proposes to make further investigations and recommendations to me. That there should be further cuts will probably be shown on closer examination. Many of the departments are in charge of hostile officials who have handicapped us in every way.

The budget presented is complete in detail giving as many as one hundred items in a department, and is in striking contrast with former unofficial budgets which frequently contained only two items. It also covers all of the so-called self-supporting boards and commissions, not included in previous budgets. While it has been a laborious task to prepare all of this detail, it will provide invaluable information to you when you come to analyze and consider it. You will undoubtedly find that many other economies can be effected.

In preparing this budget I have used every endeavor to live up to the mandate of the people as expressed at the primary election last August and at the general election in November. The people expressed themselves strongly in favor of economy and efficiency in State government, of eliminating unnecessary expense, of cutting out useless boards and commissions, of taking off the payroll political parasites, and the wrecking of the political machine which in the past few years has squandered millions of dollars of the people's money. I have heeded the voice of the people and made my cuts regardless of any political consequences to myself. I have hewed to the line, letting the political chips fall where they may. The advocates of the "pork barrel" idea in appropriations have been given no consideration, as I have tried to consider the State as a whole and the general needs of the people. My chief purpose has been to relieve the people of their great burden of taxation.

The people ultimately pay every dollar of tax whether it be direct or indirect. While the State derives most of its revenue from a franchise tax on corporations this tax is passed on to the people with an added burden. The Railroad Commission has ruled that taxes are part of the operating expense of corporations and must be added in fixing rates. After the increase of rates on public utility corporations at the last session of the Legislature, the Railroad Commission increased the rates on fares, light, water, gas, telephone, and the people found they did pay the tax. The much heralded and misnamed King Bill not only increased the burden upon the people, but it failed to materially increase the revenue of the State because the railroad corporations appealed to the courts, which permitted them to settle with the State at the old rate of $5\frac{1}{2}$ per cent instead of the new rate of 7 per cent while the suit is pending. To attempt to still further increase the rates on public utility companies in view of present litigation would be futile.

So while I am faced with the duty of obeying the mandate of the people as expressed in the recent election, I am also faced with the necessity of keeping State expenses below the State income. You are faced with the same mandate and the same necessity. The State should live within its income and limit its needs. Every citizen of California finds himself confronted with the necessity of curbing his financial desires and cutting down his needs. As soon as the boy becomes a man he finds he must spend less than he earns or bankruptcy faces him. The State must practice the same philosophy.

Because a given appropriation has merit is not a sufficient reason for its passage. If this were the guide the budget would exceed all bounds of reason. The total expenses and the total revenue of the State must always be borne in mind. The State must hold itself in check and keep within the bounds of sane economy. Every dollar which has been cut from the demands of the various State departments and reductions made over the former budget will result in benefit to the people. The adoption of this budget will not only save the people many millions of dollars but will afford a wholesome lesson to cities and counties and may save the people many millions more.

The rapid increase of the budget during recent years has resulted in an era of extravagance. In 1915 the budget in round numbers was \$35,000,000; in 1917 it reached \$47,000,000; in 1919 it rose to \$52,000,000, but in 1921 it mounted to

\$51,000,000. If this rate of increase had been kept up the budget of 1923 would have been \$150,000,000, so the present budget not only represents a reduction of \$12,000,000 over the total appropriations of 1921, but the stopping of \$71,000,000 which might have been piled on the people had the orgy of political extravagance continued.

The budget presented to you takes care of every State need and is liberal in comparison with actual needs and the budgets previous to 1921.

While the net budget total is \$78,974,628.55, it contains \$700,000 for emergencies, and \$1,200,000 for flood control. With these items eliminated the budget would be \$77,974,828.55. The great sum of \$49,788,415.10 is provided for education, in short more than sixty per cent of the budget is for education. A total of \$10,329,670 in the budget is to pay interest and principal on State highway bonds. The fixed charges provided by law total \$59,624,226.75 as compared with \$44,909,749.15 as submitted in the budget two years ago. The budget has been reduced from 1921 despite the fact that the fixed charges have increased \$14,714,477.60.

This budget contains flood control items aggregating \$1,200,000 of which \$600,000 is for reclamation work in the Sacramento Valley and \$600,000 for flood control in Los Angeles County. The Legislatures of 1919 and 1921 appropriated \$6,000,000 for these two projects and spread the payments out over ten years. Continuing appropriations of this kind are unfair to future administrations and are of doubtful propriety. Both of these projects are sectional in character and such a policy pursued all over the State would cost many millions. As the credit of the State has been pledged, however, the amount is included in the budget.

If the State taxes were used solely for State purposes the budget could be greatly decreased. The greater part of this budget is for money for county and district purposes. The State will pay to the counties \$37,261,860 for elementary and secondary schools for the coming biennial period; \$673,914.60 for salaries of superior judges; \$576,983.33 for school books; \$2,600,000 for aid of county orphans; and this budget shows \$10,329,670 to pay interest and principal on bond money used in building roads in the counties. The policy of unloading county functions upon the State has helped increase the budget.

The recommendations made for the schools are undoubtedly greater than they should be, but it has been my purpose to be liberal in the matter of education. Extravagance in educational matters has run riot during the past few years. This budget shows an increase of \$8,618,627.60, or 23 per cent in the past two years. Politicians in the guise of educators have squandered the people's money with a lavish hand and have denounced advocates of thrift as enemies of education.

A great political organization has been built up which has cost the people an immense sum but has added little to the value of education given school children. The laws have been cunningly amended so that supervisors, school boards and boards of education have little control over the expenditures of school money and hence can not check extravagance. The people are loud in their protest as indicated by hundreds of complaints received by me, but they are unorganized and unable to cope with the schemes of certain political educators.

The expenditure of school money in this State must be put on a business basis and the schools must not only teach but practice thrift. Educators should be left in control of educational matters, but sound business men should be in control of expenditures.

INDUSTRIAL FARM FOR WOMEN.

The Director of Institutions has reported that a large percentage of the women committed to the Industrial Farm for Women are narcotic or alcoholic addicts and are the same class as have for years been taken care of in the six State hospitals of this State; that the history of moral delinquency in the inmates of the farm is not more marked than it is in the State hospital inmates; that the State is not justified in maintaining two different departments attempting to meet the same problem; that in the hospitals this class can be cared for at an expense of \$21.90 per month per patient, whereas the cost at the farm for the past six months was \$80.46 a month per patient. The Board of Control joins with the present Director of Institutions, and the former Director of Institutions, in the belief that this institution should be closed and the property turned over to the Sonoma State Home for the care of epileptics. The Sonoma Home is only a few miles away from this farm.

The problem of delinquent women is an age-old one and attempts to solve it have been made throughout the centuries without success. That should not discourage us in the attempt to do something for this unfortunate class of women, and I have therefore included an appropriation in the budget for this institution so that it can be conducted for at least two years longer. This institution should be given not only a fair but sympathetic trial. I make this recommendation in spite of the fact that a majority of the people seem to be opposed to its purposes, and that the bill in the first place is reported to have become a law by mistake.

CALIFORNIA POLYTECHNIC SCHOOL.

This institution is located at San Luis Obispo and was created in 1901 as an Industrial School before the time when but a very few high schools and elementary schools carried on industrial work. Last year there were 183 students enrolled in this school, 92 of whom lived in San Luis Obispo, most of whom were young boys of high school age. The State at the present time is paying to the school districts of the State money with which to educate this very class of students. As the majority of the students are of high school age, it would seem that the many high schools giving manual instruction would answer the requirements. It is proposed by the Department of Education to build this school up as an agricultural college, to be available for the southern part of the State for students over high school age.

This school seems to be entirely out of joint with the whole educational system of the State, and if the State is to go into the business of educating students of high school age, it would have to establish scores of similar institutions throughout California.

A small appropriation has been included in the budget for the continuance of this school until such time as it can be changed into some other line or used for some other State institution.

BOARD OF CHARITIES AND CORRECTIONS.

The principal activities of the State Board of Charities and Corrections and all the activities of the child agents of the Board of Control are concerned with the supervision of orphanages and other homes caring for dependent children, which are required to submit financial and statistical reports, identical in character, to both agencies. Agents and inspectors from both agencies visit the same institutions. Before any money is paid by the State for the aid of orphans, the county must first make an investigation of the particular case and make a recommendation. The institutions located in the counties of Los Angeles, San Francisco and Alameda are under the inspection of county boards of public welfare, boards of health, and in some instances two or more State agencies. So when these same institutions are also inspected by the child agents of the Board of Control, and by the Board of Charities and Corrections, there is a duplication of effort.

The supervision exercised by the Board of Charities and Corrections over the three State reform schools, the six hospitals, and the Sonoma Home, has proved of value in a number of cases, but is merely advisory. The Board has performed some effective work in encouraging various counties to systematize their form of charities, and to improve the character of their county hospitals, poor farms and county jails. I believe that the Board of Charities and Corrections has functions which should be maintained and which are of value to the State. Instead of having it a separate and overlapping body, I suggest that it be made a division of the Department of Finance. Provision has been made in the budget of the Department of Finance for this work.

IMMIGRATION AND HOUSING.

The functions of the Commission of Immigration and Housing are twofold, consisting of the enforcement of labor laws relative to immigrants and of State housing laws. A large part of the work of this commission is a duplication of the work of the Bureau of Labor Statistics. The housing laws refer for the most part to conditions existing in large cities and labor camps. In the cities there also exist local agencies charged with the duty of enforcing these laws. The State Board of Health has jurisdiction over certain housing laws and inspection of the condition of automobile camps, and has authority to inspect labor camps as well. Both the Commission of Immigration and Housing and the Board of Health inspect factories. This has caused overlapping functions and a conflict of authority. The Americanization work of this commission has been voluntarily surrendered to the Board of Education and is now in that department budget.

In order to prevent duplication and to centralize the work of this department, I recommend that the function of this commission be transferred to the State Bureau of Labor Statistics. Provision has been made in the budget for the bureau for their work.

HUMBOLDT TEACHERS COLLEGE.

The per capita cost of this institution for 1921-22 was \$964 a year. This cost is greatly in excess of the cost of any other Teachers College in California. The Board of Control has recommended that this college be combined with the Chico School in order to cut down expenses and to afford the pupils of the Arcata School better facilities for training. With the completion of the highway between the Sacramento Valley and Humboldt Counties, the means of communication between Chico and Humboldt will be made much more easy than at present.

I have included in the budget an appropriation for maintaining the Humboldt School, and suggest that you give serious consideration to the recommendation of the State Board of Control.

STATE MINING BUREAU.

This bureau has functions which overlap with other departments. In mining inspection the work of this bureau and the Industrial Accident Commission overlap. The oil work does not properly belong to this bureau. The mining exhibit should be made available for students at the University of California. I recommend that the oil department be turned over to the Surveyor General, that the inspection work be placed in the hands of the Industrial Accident Commission, that the mining exhibit be turned over to the University of California and that the bureau be abolished. Provision has been made in the Surveyor General's and Industrial Accident Commission's budget for these added duties.

ESTIMATED REVENUE.

The State Board of Equalization has estimated the net revenue for the ensuing biennial period to be \$80,037,000, itemized as follows:

	1923	1924
Corporation Franchise Tax	\$34,700,000	\$35,400,000
Inheritance Tax	4,800,000	5,400,000
License Tax	990,000	1,000,000
Fees, Secretary of State	260,000	265,000
Interest on deposits in banks	450,000	450,000
Punitive and Reformatory School Collections	500,000	520,000
Fees, Supreme and Appellate courts	11,000	11,000
Miscellaneous receipts	230,000	250,000
	<hr/> \$41,941,000	<hr/> \$43,296,000
		<hr/> \$41,941,000
For biennium		\$85,237,000
Amount not available (litigation)		5,200,000
Total available revenue		<hr/> \$80,037,000

Respectfully submitted,

F. W. RICHARDSON,
Governor of California.

February 1, 1923.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Gates, E. J.: Senate Bill No. 459—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 460—An act appropriating money for the furnishing and equipment of the University High School in the city of Oakland.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Gates, E. J.: Senate Bill No. 461—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assess-

ment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended.

Bill read first time, and referred to Committee on Oil Industries.

Also: Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Handy: Senate Bill No. 463—An act to amend section 151¹/₂ of an act entitled, "An act to divide the State of California into fish and game districts," and to repeal an act entitled, "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 464—An act to amend section 1942 of the Political Code, relating to the compensation of officers in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Inman: Senate Bill No. 465—An act to amend section 1609 of the Political Code relating to the employment of principals, teachers, and other employees by Boards of School Trustees and City Boards of Education, and tenure of office by teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township officers with the county auditor.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 467—An act appropriating money for the creating of a revolving fund for the Department of Public Works in lieu of that created by chapter 419, Statutes of the year 1917.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 469—An act appropriating money to provide and maintain a permanent revolving fund for the Department of Public Works in lieu of that created by section 5, chapter 338, of the Statutes of the year 1909.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Sharkey: Senate Bill No. 470—An act providing for the enlargement of Mount Diablo Park, making an appropriation for the purchase of additional lands and roadways therefor, and for the development thereof.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Senate Bill No. 473—An act providing for the regulation of the manufacture, sale or discharge of fireworks and pyrotechnics and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered section 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacra-

mento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 477—An act to amend sections 320, 321, 322 and 323 of the Penal Code, and to add a new section thereto to be known as section 325a, all relating to lotteries, and fixing the punishment for the violation of said sections.

Bill read first time, and referred to Committee on Public Morals.

By Senator Dennett: Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled, "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring

the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 479—An act to authorize districts organized or existing under the California Irrigation District Act to refund outstanding indebtedness, and to issue bonds therefor.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 483—An act to require all public service corporations to make a report to the Railroad Commission of the expenditures from any surplus or contingent fund and limiting the purposes for which such funds can be used.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 484—An act for the protection of owners of duly recorded mortgages, deeds of trust, or other instruments whereby the payment of any monetary obligation is secured by land which is subject to be assessed by the governing authorities of any district or other political subdivision to pay for the construction or maintenance of works for

the improvement, benefit or protection of the lands embraced therein; to require notices of such assessments and of proceedings thereunder to be given upon demand, and to prohibit the imposition of penalties when such notices are not given after demand made.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State Treasury and providing for exemption from fees.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37*f*, relating to compensation of water masters.

Bill read first time, and referred to Committee on Irrigation.

By Senator Osborne: Senate Bill No. 488—An act to amend section 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* of the Political Code, relating to agriculture.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Johnson, M. B.: Senate Bill No. 489—An act to repeal section 1617¹/₂ of the Political Code, relating to the selling or leasing of school property unoccupied by any public school, by boards of education and boards of trustees of certain school districts and certain union or joint union high school districts; and to add a new section to the Political Code to be numbered 1617¹/₂, relating to the selling or leasing of real property upon which no public school is being maintained, by boards of education or boards of trustees of any school district or any high school district in the State, of whatever kind or class; and to approve, confirm, ratify and validate all sales or leases of real property upon which no public school was being maintained, heretofore made or purporting to have been made in reliance upon the provisions of said section 1617¹/₂ of the Political Code by boards of education or boards of trustees of school districts or of high school districts of the State.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 490—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities or by municipalities and counties," approved May 20, 1921.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government

of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Hurley: Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected, thereby and for the payment of the bonds so issued," approved June 11, 1915.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Creighton: Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1a relating to hearings upon applications for a permit to appropriate water, and 1b, relating to actions for review and to priority of right.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water.

Bill read first time, and referred to Committee on Irrigation.

By Senator Ingram: Senate Bill No. 497—An act to amend section 384 of the Penal Code relating to fires.

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the

provisions of this act, and making an appropriation therefor." approved March 18, 1905, as amended.

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts and change of boundaries of school districts.

Bill read first time, and referred to Committee on Education.

By Senator Arbuckle: Senate Bill No. 500—An act to amend section 4131 of the Political Code, relating to the duties of county recorder.

Bill read first time, and referred to Committee on County Government.

By Senator Lewis: Senate Bill No. 501—An act requiring qualified electors to vote at elections; requiring registration of electors; enabling sick or absent electors to cast their ballots at elections; and prescribing penalties for the violation of this act.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 502—An act to amend section 5 of an act entitled, "An act to regulate the practice of pharmacy in the State of California," approved March 20, 1905, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Lyon: Senate Bill No. 503—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 504—An act to provide for the control of tuberculosis in cattle.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 505—An act to add a new section to the Political Code to be numbered 4041*k*, relating to the powers of boards of supervisors with reference to justices' courts.

Bill read first time, and referred to Committee on County Government.

By Senator Sample: Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 507—An act to amend section 626*m*, of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 508—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Eden: Senate Bill No. 509—An act to appropriate money for the use of the State Highway Commission of the State of California

to augment the funds available for the construction of the State highway between San Bernardino and Yuma.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Sample: Senate Bill No. 510—An act to create a cadet reserve in the State of California.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 511—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Johnson, A. Burlingame: Senate Bill No. 512—An act requiring the making of affidavits and keeping of records showing the location and ownership of ground from which gold and silver bearing mineral products are derived, and the names and addresses of purchasers, consignors and consignees of such products and dates of deliveries thereof; providing for the inspection and taking copies of such records; and prescribing penalties for violation of the provisions hereof.

Bill read first time, and referred to Committee on Mines and Mining.

By Senator Lyon: Senate Bill No. 513—An act providing for the inspection of all places where food is served.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Ingram: Senate Bill No. 514—An act to amend section 160 of the Code of Civil Procedure, relating to superior court judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates, Dr.: Senate Bill No. 515—An act to add a new section to be numbered 637 to the Penal Code to prevent the waste of fish in inland waters.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Arbuckle: Senate Bill No. 516—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of Santa Barbara.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Boggs: Senate Bill No. 517—An act to amend section 5 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages,

prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator McDonald: Senate Bill No. 518—An act declaring that the public interest and convenience requires the doing of certain work and improvement and the cutting down of the high ground and the filling in of the low ground in a district of land partly in the city and county of San Francisco and partly in the county of San Mateo; and creating a board to be known as the "Peninsula Water Front Board," and prescribing its powers and duties; and authorizing and directing it to do and perform certain acts and duties with respect to said proposed work and improvement, and to employ and pay assistants and employees in the premises; and appropriating the sum of \$25,000 for the purposes of carrying out the provisions of this act.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Inman: Senate Bill No. 519—An act authorizing the State Board of Control to purchase warrants of reclamation and drainage districts, organized within the State, issued in payment for the expense of construction and work on such reclamation and drainage districts; appropriating money therefor; and providing for reimbursement to the State of such appropriation.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Lewis: Senate Bill No. 520—An act to amend sections 3664a, 3664b, 3664c and 3664d, of the Political Code, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 521—An act to create a narcotic director empowered to handle the narcotic situation, said director to be a licentiate pharmacist of the State of California.

Bill read first time, and referred to Committee on Public Morals.

By Senator Osborne: Senate Bill No. 522—An act to amend section 647 of the Civil Code, defining the various classes of securities upon which a building and loan association may invest or borrow.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Senator Murphy: Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Elections.

By Senator Jones: Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance, and Safety Act of 1917," as

approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

Bill read first time, and referred to Committee on Judiciary.

By Senator Dennett: Senate Bill No. 525—An act to limit appropriation of water for power purposes, and prohibiting a wasteful use.

Bill read first time, and referred to Committee on Irrigation.

By Senator Swing: Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 527—An act to add a new section to the Penal Code to be numbered 626*v*, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Swing (by request): Senate Bill No. 528—An act relating to children born out of wedlock and to make uniform the law relating thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 529—An act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

Bill read first time, and referred to Committee on Judiciary.

By Senator Swing: Senate Bill No. 530—An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hurley: Senate Bill No. 531—An act to amend section 653*c* of the Penal Code, relating to hours of labor.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Swing (by request): Senate Bill No. 532—An act concerning aeronautics; prescribing rules and regulations for the operation of aircraft; and making uniform the law with reference thereto.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Arbuckle: Senate Bill No. 533—An act appropriating money for the construction and equipment of a main building for the State Teachers College of Santa Barbara.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Chamberlin: Senate Bill No. 534—An act providing for the issue by private corporations of capital stock without nominal or par value.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 535—An act to add a new section to the Code of Civil Procedure, to be numbered 580*a*, relating to judgments against

insurance companies in actions brought to recover upon policies of insurance.

Bill read first time, and referred to Committee on Insurance.

By Senator Chamberlin (by request) : Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Senator Chamberlin: Senate Bill No. 537—An act to amend sections 2 and 59*a* of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 538—An act to add a new section, to be numbered section 467*a* to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 541—An act to create the office of local historian to define his powers and duties.

Bill read first time, and referred to Committee on Education.

By Senator Carr: Senate Bill No. 542—An act declaring all buildings and places nuisances wherein or upon which gambling is held or occurs or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise.

Bill read first time, and referred to Committee on Public Morals.

By Senator Sharkey: Senate Bill No. 543—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read first time, and referred to Committee on County Government.

By Senator Creighton: Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Carr: Senate Bill No. 545—An act to amend paragraph "N" of section 20 of an act entitled "The Vehicle Act" approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Arbuckle: Senate Bill No. 546—An act appropriating money for improvements for the State Teachers College of Santa Barbara.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Hart: Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gates, W. F.: Senate Bill No. 548—An act to amend section 637, relative to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Osborne: Senate Bill No. 549—An act creating the California State Historical Association and appropriating money for its support during the seventy-fifth and seventy-sixth fiscal years.

Bill read first time, and referred to Committee on Education.

By Senator Arbuckle: Senate Bill No. 550—An act appropriating money for the purchase of additional land for the State Teachers College at Santa Barbara.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Dennett: Senate Bill No. 551—An act to permit and regulate the deposit of money of counties, municipalities and irrigation districts with building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Senator Osborne: Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theatres and moving picture houses, and providing penalties for its violation," approved June 3, 1921.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Slater: Senate Bill No. 553—An act to amend section 1142a of the Political Code, relating to election laws.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257a, relating to the duties of election officers.

Bill read first time, and referred to Committee on Elections.

By Senator Creighton: Senate Bill No. 555—An act to amend section 1725 and 1733a of the Political Code, relating to high school districts.

Bill read first time, and referred to Committee on Education.

By Senator Inman: Senate Bill No. 556—An act to amend sections 4214, 4215, 4216, 4219 and 4220 of the Political Code, relating to the duties of surveyor.

Bill read first time, and referred to Committee on County Government.

By Senator Godsil: Senate Bill No. 557—An act to appropriate money to be used by the State Labor Commissioner for the clerical and commercial department of the State Board of Labor Statistics, in the city and county of San Francisco.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 558—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 15, 1915," approved May 28, 1915, as amended, by the addition thereto of a new section to be numbered 214, and to repeal all acts or parts of acts inconsistent with said section 214.

Bill read first time, and referred to Committee on Fish and Game.

By Senator McDonald: Senate Bill No. 559—An act making an appropriation of money for the purpose of construction, maintenance and operation of an electric street railway on the Embarcadero in San Francisco.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 560—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 561—An act to repeal an act entitled "An act to enforce the provisions of article 18 of the amendments to the Constitution of the United States: prohibiting all acts or omissions prohibited by the Volstead Act; imposing duties on courts, prosecuting attorneys, sheriffs, and other officers, and extending their jurisdiction; and providing for the disposition of fines and forfeitures; approved May 7, 1921.

Bill read first time, and referred to Committee on Public Morals.

By Senator Burnett: Senate Bill No. 562—An act to amend an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policy holders of recourse against stockholders of such corporations," approved May 31, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 563—An act to amend section 634 of the Political Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 564—An act to amend section 594*a*, of the Political Code, relating to deposits of securities by foreign companies.
Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 565—An act to amend section 453*c* of the Civil Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 566—An act to amend sections 453*s*, 453*t*, 453*u*, 453*r*, 453*w*, 453*x*, 453*y*, and 453*z* of the Civil Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 567—An act to amend section 453*c* of the Civil Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 568—An act to amend an act entitled "An act to provide for the protection of beneficiaries of Workmen's Compensation Insurance Policies against the default or insolvency of insurance carriers issuing such policies by requiring such carriers to provide security for the payment of such compensation," approved May 9, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 569—An act to amend section 622 of the Penal Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Senator Arbuckle (by request): Senate Bill No. 570—An act to add a new section to the Penal Code to be numbered 407*a*, relating to crimes against the public peace.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chamberlin: Senate Bill No. 571—An act appropriating money to pay the claim of F. H. Conn against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 572—An act appropriating money for the construction of new stacks for the Doe Library.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill 573—An act appropriating money for the purchase of land for the College of Agriculture at Berkeley.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 574—An act appropriating money for the construction and equipment of buildings for the California School for the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 575—An act appropriating money for the construction and equipment of a hospital building for the California Schools for the Deaf and the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 576—An act appropriating money for improvements at the California Schools for the Deaf and the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 577—An act to provide readers for blind students in the University of California and other colleges and to assist deaf students attending the National College for the Deaf at Washington, D. C., and making appropriation therefor.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 578—An act appropriating money for the construction and equipment of a kindergarten and entering building for the California School for the Deaf at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 579—An act appropriating money for the construction and equipment of a residence for the business manager of the California Schools for the Deaf and the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 580—An act regulating the doing of public work, including day's labor or force work, by public and quasi public bodies, boards and officers; prescribing the procedure therefor and providing for the preparation, filing and publication of reports and cost data relative thereto by said bodies, boards and officers; providing penalties for violation of this act; and repealing all acts and parts of acts inconsistent therewith.

Bill read first time, and referred to Committee on County Government.

By Senator Gray: Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Carr: Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Jones: Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

The following resolutions were offered:

By Senator Canepa: Senate Joint Resolution No. 6—Relative to modifying the migratory bird treaty with Great Britain to allow the legislatures of the various states to provide different dates for the hunting of migratory birds and to allow the sale of same.

Resolution referred to Committee on Federal Relations.

By Senator Boggs: Senate Concurrent Resolution No. 13—Relative to reports of the department encampment of the Grand Army of the Republic.

Resolution referred to Committee on Revision and Printing.

By Senator McDonald: Senate Constitutional Amendment No. 23 - A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

Constitutional amendment referred to Committee on Constitutional Amendments.

PETITIONS - (OUT OF ORDER).

The following petition was presented by Senator Dennett, and ordered printed in the Journal:

OAKDALE, CALIFORNIA, January 29, 1923.

*Hon. L. L. Dennett, State Senator,
State Capitol, Sacramento, California.*

DEAR SIR: We, the undersigned citizens of Stanislaus County, who have been in the practice of annually procuring hunting licenses and who hunt either ducks or deer or both, respectfully petition you to use your best efforts when a new game law is adopted to bring about the following results:

To open the duck shooting season later and close it later, say February 1st.

To prohibit the hunting of shooting and hunting preserves during the open season.

To allow the ducks to settle all over the country and not be kept in a few baited places on private preserves.

To permit the continuance of the use of dogs in deer hunting, thereby permitting wounded deer to be recovered, which would otherwise die and the meat spoil.

To allow the deer hunting season in this district to open September 1st as at present. Proper regulation of campers and hunters by game wardens and forest employees would prevent fires if opened at this date and a later opening would doubtless mean the killing of far more does being mistaken for bucks than at present.

H. A. SCHADLISH,

And 22 others.

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Concurrent Resolution No. 5 referred to Committee on Rules.

CONSIDERATION OF SPECIAL FILE—ASSEMBLY BILLS.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIX.

Assembly Concurrent Resolution No. 6, relative to investigation of Norwalk State Hospital property for oil purposes.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Slater, Swing, and West—31.

NOES—None.

Assembly Concurrent Resolution No. 6 ordered transmitted to the Assembly.

PRINTING OF REPORT OF STATE BOARD OF FORESTRY.

Made in compliance with Senate Concurrent Resolution No. 27 of 1921.

Senator Osborne moved that there be printed 2500 copies of the report of the Department of Forestry, the cost to be paid from the Legislative fund for printing.

The question being on the motion, the roll was called, and the motion carried by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

COMMUNICATIONS—(OUT OF ORDER).

The following communications were presented and ordered printed in the Journal:

By Senator Breed:

CALIFORNIA ALUMNI ASSOCIATION,
BERKELEY, CALIFORNIA, January 10, 1923.

Honorable C. C. Young,
Lieutenant Governor,
State of California.

MY DEAR MR. YOUNG: The California Alumni Association, which as you know represents twenty-five thousand leading men and women of California, is extremely desirous that the Senate and Assembly of the California Legislature visit the university campus again this year as it did two years ago, in order that our Senators and Assemblymen may get first hand knowledge on the needs of this great institution.

This letter is as a consequence written to you to ask you to issue to the members of the California Senate an invitation to be the guest of the California Alumni Association on March 16, spending the forenoon and afternoon upon the university campus in inspection and being the guest of honor at our Henry Morse Stephens Memorial banquet to be held in the Court Room of the Palace Hotel on the evening of March 16.

This invitation includes also the wives and families of the Legislators and provision is being made for their special entertainment by the ladies of the Alumni Association and the women students of the university on the afternoon and evening of March 16.

Very sincerely yours,

ROBERT LIBBY,
Executive Manager.

Also:

ASSOCIATED STUDENTS, UNIVERSITY OF CALIFORNIA,
BERKELEY, CALIFORNIA, January 12, 1923.

The Honorable C. C. Young,
Lieutenant Governor of the State of California,
Sacramento, California.

MY DEAR MR. YOUNG: It is my pleasure to extend to you and to the members of the Legislature of the State an invitation to spend the day of March 16 on the campus of the University of California, as guests of the students. At this time the Henry Morse Stephens Memorial, a large and beautiful structure, will be dedicated. Henry Morse Stephens was a man who delighted in his contact with the students, and was a constant inspiration and incentive in student life and activities. So, in dedicating this building to him, we of the student body feel that the day of March 16 should be one of activity, life, and exposition of student work. In pursuance of this

idea, we have arranged that all the departments and colleges of the university shall give exhibitions in their respective lines of work. Also a university meeting has been scheduled on that date, which, incidentally, corresponds with the date set for the annual Engineers' Day.

In addition to this, we have extended an invitation to some twenty-five thousand alumni of the university, who are now out in the business world, to visit us and renew their contact with us.

The plans in regard to the program are not complete at the present time, but we have the assured backing of the alumni, and we earnestly desire your presence and the presence of the members of the Legislature. I confidently feel that it will be the will of those who administer the affairs of the State to visit us at this time and get in closer contact with the needs and the running of an institution on which some nine millions of dollars are expended each year.

Furthermore, some ten thousand of us who in a short time will become the active, or at least interested, citizens of the State desire, if possible, to meet those who administer the State's affairs, and it is my earnest hope that you may see your way clear to being our guest on that day, March 16, 1923.

Respectfully yours,

EARL G. STEEL,

President, Associated Students, University of California.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 14—Relative to the indorsement of the Capper-French "Truth in Fabric Bill" to require woolen manufacturers to indicate by labels the percentage of virgin wool in fabrics—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it be adopted, as amended.

Committee membership—5; committee vote: Ayes—5; noes—0.

EDEN, Chairman.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOURTEEN.

Senator Boggs asked for and was granted unanimous consent to take up Assembly Joint Resolution No. 14 out of order for consideration.

COMMITTEE AMENDMENT.

During the reading of Assembly Joint Resolution No. 14, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In the paragraph following the third word "whereas" in the original resolution strike out the words "or shoddy".

Amendment adopted.

The question being on the adoption of the resolution.

Resolution adopted.

Assembly Joint Resolution No. 14 ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, January 31, 1923.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 112—An act to amend section 2192 of the Political Code, relating to the Sonoma Home for Feeble-Minded;

Also: Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

McDONALD, Chairman.

Senate Bills Nos. 112 and 121 ordered on file for second reading.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered out of the regular order:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of twenty-three and 34/100 dollars (\$23.34) to pay the following bill:

To Cascade Towel Supply, Dr.

For month of January, 1923, for towels furnished \$23 34

The same to be payable out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay same.

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—33.

NOES—None.

By Senator Nelson:

WHEREAS, There appears to be a conflict between certain departments and State officers as to the revenues which will accrue to the State during the coming biennium, particularly for school and educational purposes, the same amounting to approximately \$2,400,000; also, that certain funds will be available by reason of a temporary transfer of funds, particularly the retransfer of about \$3,000,000 from the Veterans Welfare Fund to the General Fund, and that through apparent inadvertence the same were omitted from the statements of available assets and income; and

WHEREAS, It is necessary and advisable that this Senate have complete information as to the assets and income of this State in considering the expenditures to be made by it for the maintenance of the State government, its departments and institutions during the ensuing biennium; now, therefore, be it

Resolved by the Senate of the State of California, That the Committee on Revenue and Taxation of this Senate be, and it is authorized and directed, to ascertain and determine the assets and moneys now on hand and the income of this State, for the ensuing biennium, which will be available for general State purposes, and that said committee report back to the Senate its findings thereon as soon as practicable upon reconvening after the constitutional recess.

Resolution adopted.

CONSIDERATION OF DAILY FILE—(OUT OF ORDER).

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senate Concurrent Resolution No. 2—Approving twelve certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gedsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Senate Concurrent Resolution No. 2 ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SIX.

Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gedsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Assembly Joint Resolution No. 6 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following message from the Assembly was taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as case of urgency, Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Senate Bill No. 385 ordered to enrollment.

RECESS.

At four o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess for ten minutes.

RECONVENED.

At four o'clock and fifteen minutes p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MOTION FOR CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Senator Eden moved that the Senate resolve itself into Committee of the Whole for the purpose of hearing State Attorney General Webb, relative to the ratification of the "Colorado River Compact," as provided in Assembly Joint Resolution No. 3.

SPECIAL ORDER.

Senator Swing moved that the consideration of Assembly Joint Resolution No. 3 be made a special order for eleven o'clock a.m., Friday, February 2, 1923.

AMENDMENT TO MOTION.

Senator Crowley moved to amend the motion of Senator Swing to make Assembly Joint Resolution No. 3 a special order for four o'clock and thirty minutes past, on Thursday, February 1, 1923.

Amendment adopted.

Resolution by Swing, as amended, on motion of Senator Crowley, adopted.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Joint Resolution No. 3 heretofore set as a special order for four o'clock and thirty minutes p.m., the same was taken up for consideration.

Assembly Joint Resolution No. 3—Relative to approving the Colorado River Compact.

Senator Inman moved that the special order for the consideration of Assembly Joint Resolution No. 3 be continued until eleven o'clock Friday, February 2, 1923.

Motion withdrawn.

At four o'clock and forty-five minutes p.m., on motion of Senator Arbuckle, the Senate resolved itself into Committee of the Whole, the President of the Senate in the chair, and Secretary of the Senate at the desk, for the purpose of hearing Attorney General Webb, relative to Assembly Joint Resolution No. 3.

IN COMMITTEE OF THE WHOLE.

During the discussion of Assembly Joint Resolution No. 3, the following named persons appeared before Committee of the Whole:

Attorney General Webb.

T. D. McCall of Imperial, California.

COMMITTEE OF THE WHOLE RISES.

At six o'clock and forty five minutes p.m., upon motion of Senator Sharkey, the Senate arose from Committee of the Whole.

IN SENATE.

President of the Senate, C. C. Young, in the chair.

Secretary Joseph A. Beek at the desk.

MOTION.

Senator Swing moved that the consideration of Assembly Joint Resolution No. 3 be made a special order for eleven o'clock on the second day after reconvening after the constitutional recess.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Arbuckle and Sharkey. The roll was called and the motion lost by the following vote:

AYES—Senators Canepa, Crowley, Gray, Inman, Jones, Murphy, Osborn, Sharkey, Slater, and Swing—10.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart,

Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Powers, Rominger, Rush, Sample, and West—29.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

NOES—None.

Assembly Joint Resolution No. 3 ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

BREED, Chairman.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIVE.

Senator Breed asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 5, out of order, for consideration.

Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

COMMITTEE AMENDMENT.

During the second reading of the resolution the following committee amendment was offered:

COMMITTEE AMENDMENT TO ASSEMBLY CONCURRENT RESOLUTION NUMBER FIVE.

On line 8 of the printed bill, strike out "Fri.": also strike out all of lines 9 and 10, and in lieu thereof insert Saturday, February 3, 1923, and shall reassemble at the hour of twelve o'clock noon on Tuesday, March 6, 1923.

Amendment adopted.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 5 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—Senator Creighton—1.

Assembly Concurrent Resolution No. 5 ordered transmitted to the Assembly.

MOTION.

Senator Breed moved that when the Senate recesses it does so to re-convene at nine o'clock and fifteen minutes p.m., on Thursday, February 1, 1923.

Motion carried.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as case of urgency, the following:

Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento:

Also: Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco:

Also: Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and disseminating constitutional amendments submitted to the voters at the election held November 7, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bills Nos. 182, 186 and 196 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 7—Relative to the adoption by the Congress of the United States of legislation to assist the silver mining industry.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Joint Resolution No. 7 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 12—Relative to approving an ordinance to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Concurrent Resolution No. 12 ordered to engrossment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS
(OUT OF ORDER).

The following bills were introduced:

By Senator Breed: Senate Bill No. 584—An act making an appropriation for the support, maintenance and equipment of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 585—An act appropriating money to be used toward the purchase of land for agricultural laboratory purposes near the grounds of the University of California at Berkeley.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 586—An act appropriating money for the construction of additional stacks for the University Library on the grounds of the University of California at Berkeley.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Sample: Senate Bill No. 587—An act appropriating money for the support of the Scripps Institution for Biological Research of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Crowley: Senate Bill No. 588—An act appropriating money for the support of the Medical School of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Murphy: Senate Bill No. 589—An act appropriating money for the support of extension courses by the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Lyon: Senate Bill No. 591—An act appropriating money for the support, maintenance and equipment of the Southern Branch of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the Southern Branch of the University of California," approved June 3, 1921.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 593—An act amending the Political Code by adding a new section to chapter II, title I, part IV thereof, such section to be numbered 3968, relating to the change of county boundaries.

Bill read first time, and referred to Committee on Judiciary.

By Senator McDonald: Senate Bill No. 594—An act to define the word "hotel" and to impose penalties for the unlawful use of the word "hotel" in connection with a business sign.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 595—An act known as the "True Name Bill," which makes it unlawful for any person or persons to register at any

hotel, inn, boarding house, lodging house or apartment house under any name other than their own name.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 596—An act to appropriate \$100,000 for restoring the California Missions.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 597—An act making it unlawful to solicit for hotel guests on boats and trains.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Boggs: Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737ccc, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 600—An act appropriating money for the home demonstration service by the College of Agriculture of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 601—An act making an appropriation for a new calf barn and addition to milking barn at the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 602—An act making an appropriation for the construction of a farm cottage on Riley Ranch at the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Godsil: Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 604—An act to amend section 626 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Harris: Senate Bill No. 605—An act to make an appropriation for the support and salaries of the Immigration and Housing Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 606—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 607—An act appropriating money for the improvement of the summer session property of the State Teachers College of Fresno at Huntington Lake, Fresno County, California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 608—An act appropriating money for the construction and equipment of a dormitory for women students at the State Teachers College of Fresno.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 609—An act appropriating money for improvements to the streets and grounds at the State Teachers College of Fresno.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

Also: Senate Bill No. 610—An act appropriating money for the construction and equipment of a cafeteria building for the State Teachers College of Fresno.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Gray: Senate Bill No. 611—An act to amend section 6 of an act entitled: "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof," approved May 21, 1915, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 612—An act to amend section 6 of an act entitled, "An act providing for reciprocal and inter-change of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, relating to the maintenance of reserves and assets of the concerns transacting such character of business, and providing for the liability of the directors of such concerns.

Bill read first time, and referred to Committee on Insurance.

By Senator Inman: Senate Bill No. 613—An act declaring property used in conducting lotteries, or for any purpose connected therewith, a nuisance, and providing for the abatement thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 614—An act to add a new section to the Political Code to be numbered 42361, relating to county recorders of counties of the seventh class and the expenses of their offices.

Bill read first time, and referred to Committee on County Government.

By Senator Lewis: Senate Bill No. 615—An act to repeal section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Senator Boggs: Senate Bill No. 616—An act making an appropriation for completing the machine shop at the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 617—An act making an appropriation for the construction of garages at the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 618—An act making an appropriation for a new cottage at farm at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 619—An act making an appropriation for a new boiler at the women's building at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 620—An act making an appropriation for furnishing new psychopathic building at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 621—An act making an appropriation for three new washing machines for laundry at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 622—An act making an appropriation for a detention and segregation unit at the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

The following resolution was offered:

By Senator McDonald: Senate Joint Resolution No. 7—Relative to the memorializing and petitioning the President of the United States

Also: Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Handy: Senate Bill No. 632—An act providing for the propounding and prosecution of a claim by and in the name of the State of California against the government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said government of all moneys heretofore paid illegally into the federal treasury as a direct tax upon property situated in the State of California, providing for the recovery of same, authorizing the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this act, providing for notice to and procedure by claimants of such moneys and fixing a prescription period after which such moneys shall escheat to and become the absolute property of the State of California.

Bill read first time, and referred to Committee on Federal Relations.

By Senator Swing: Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Sample (by request): Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations.

Bill read first time, and referred to Committee on Corporations.

By Senator Harris: Senate Bill No. 635—An act appropriating money for expenditure by the Division of Water Rights of the Department of Public Works of the State of California, in making investigations of water conditions in connection with applications to appropriate water, filed before said division.

Bill read first time, and referred to Committee on Irrigation.

By Senator Lyon (by request): Senate Bill No. 636—An act amending section 69 of the Civil Code, with respect to issuance of licenses to marry.

Bill read first time, and referred to Committee on Judiciary.

By Senator Arbuckle: Senate Bill No. 637—An act providing for the collection, propagation and distribution of beneficial insects and for investigation of their use in the control of agricultural pests, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Burnett: Senate Bill No. 638—An act to add a new section to the Penal Code to be numbered 603, relating to sabotage.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 639—An act to add a new section to the Penal Code to be numbered 603*b*, relating to an attempt to commit sabotage.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 640—An act to add a new section to the Penal Code to be numbered 603*a*, relating to the punishment for sabotage.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 641—An act to amend section 3 of the Workmen's Compensation, Insurance and Safety Act approved May 26, 1913, as amended by an act approved May 23, 1917, and as amended by act approved May 22, 1919.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 642—An act to add a new section to Political Code to be numbered and designated as section 1122, **providing for compulsory registration of electors.**

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 643—An act to add a new section to the Political Code to be numbered and designated as section 1203*a*, requiring electors to sign the roster of voters at polling place at all elections.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 644—An act declaring the county road extending from a point approximately one-half mile southeast of El Monte, in the county of Marin, to Bolinas, to be a State highway, and providing for the maintenance thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Johnson, M. B.: Senate Bill No. 645—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boggs: Senate Bill No. 646—An act making an appropriation to carry out the purposes of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof, and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith," approved May 27, 1919."

Bill read first time, and referred to Committee on Agriculture and Live Stock.

The following resolution was offered:

By Senator Canepa: Senate Joint Resolution No. 8—Relative to viticulture.

Senate Joint Resolution referred to Committee on Federal Relations.

RECESS.

At eleven o'clock and twenty minutes a.m., on motion of Senator Breed the President declared the Senate at recess for ten minutes, to hear Mrs. Deborah K. Livingston, national and world director of the Department of Citizenship of the W. C. T. U.

RECONVENED.

At eleven o'clock and thirty minutes a. m., the Senate reconvened. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

G. Melvin Warren, Assistant Secretary, at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

SENATE RECEDES FROM AMENDMENT.

Upon the motion of Senator Breed the Senate receded from the Senate amendment to Assembly Concurrent Resolution No. 5 by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

JOSEPH A. BEEK, SECRETARY, AT THE DESK.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered, out of the regular order:

By Senator Breed:

Resolved, That Gladys Pomeroy, File Clerk at \$7.00 per day, be transferred to the position of Stenographer, at \$5.00 per day; and that W. S. Street, Clerk of the Finance Committee, at \$6.00 per day, be transferred to position of Press Mailing Clerk at \$4.00 per day.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—31.

NOES—None.

Also:

Resolved. That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate:

John B. Rice, Minute Clerk	\$4 00	per day
G. Melvin Warren, Assistant Secretary	9 00	per day
Lillian J. Boyd, Assistant Secretary	7 00	per day
Beatrice B. Rheinstrom, Assistant Secretary	7 00	per day
W. T. Christensen, Assistant at Desk	5 00	per day
Paul Mason, Assistant at Desk	5 00	per day
Lillian Burger, Assistant Minute Clerk	7 00	per day
Rowena M. Crowley, Assistant Minute Clerk	7 00	per day
Wellington Bowser, Journal Clerk	5 00	per day
Gilbert A. Cowan, Assistant Journal Clerk	5 00	per day
Carrie Garrison, Assistant Journal Clerk	7 00	per day
W. W. Van Pelt, Engrossing and Enrolling Clerk	5 00	per day
Florence N. True, Assistant Engrossing and Enrolling Clerk	7 00	per day
J. J. McDonald, History Clerk	5 00	per day
A. Reggiardo, Assistant History Clerk	5 00	per day
Leonard J. Sheek, Assistant File Clerk	5 00	per day
Mrs. Ruth Fuller, Assistant Engrossing and Enrolling Clerk	5 00	per day
Marius Burnett, Assistant Sergeant-at-Arms	5 00	per day
W. A. Hicks, Assistant Sergeant-at-Arms	5 00	per day
W. Allen, Assistant Sergeant-at-Arms	5 00	per day
Louis Holden, Assistant Sergeant-at-Arms	5 00	per day
Jas. Seifert, Assistant Sergeant-at-Arms	5 00	per day
Wm. J. Ferguson, Assistant Sergeant-at-Arms	5 00	per day
Lawrence Furlong, Assistant Sergeant-at-Arms	5 00	per day
James Mulhall, Assistant Sergeant-at-Arms	5 00	per day
P. F. Dugan, Assistant Sergeant-at-Arms	5 00	per day
Otto E. Makowski, Assistant Sergeant-at-Arms	5 00	per day
W. R. Lundersmith, Assistant Sergeant-at-Arms	5 00	per day
Frank Moore, Assistant Sergeant-at-Arms	5 00	per day
A. J. Haynes, Assistant Sergeant-at-Arms	5 00	per day
Thos. Casey, Assistant Sergeant-at-Arms	5 00	per day
James Maganais, Assistant Sergeant-at-Arms	5 00	per day
L. E. McDonald, Assistant Sergeant-at-Arms	5 00	per day
T. E. Reynolds, Assistant Sergeant-at-Arms	5 00	per day
C. Olivier, Assistant Sergeant-at-Arms	5 00	per day
George Ricketts, Assistant Sergeant-at-Arms	4 00	per day
Mary L. Finney, Postmistress	4 00	per day
Hattie Newsom, Assistant Postmistress	4 00	per day
Verda Archer, Assistant Postmistress	4 00	per day
E. Herman, Press Mailing Clerk	4 00	per day
Anna E. McMahon, Press Mailing Clerk	4 00	per day
Ruth E. Crowley, Press Mailing Clerk	4 00	per day
Mrs. J. Carter, Press Mailing Clerk	6 00	per day
Lottie Heard, Chief Stenographer	5 00	per day
Leona Hand, Stenographer	5 00	per day
Grace E. Garrett, Stenographer	5 00	per day
Gladys B. Cox, Stenographer	5 00	per day
Fay Leonard, Stenographer	5 00	per day
Eva M. Nunes, Stenographer	5 00	per day
Marguerite Sweet, Stenographer	5 00	per day
Elfriede M. Wuesthoff, Stenographer	5 00	per day
A. E. Wakefield, Stenographer	5 00	per day
Mae Fitzpatrick, Stenographer	5 00	per day
M. S. West, Stenographer	5 00	per day
May McLane, Stenographer	5 00	per day
Kathleen Tuite, Stenographer	5 00	per day
James Kenny, Stenographer	5 00	per day
Merle McMillan, Stenographer	5 00	per day
Agnes Shearer, Stenographer	5 00	per day
George King, Stenographer	5 00	per day
Rose A. Cromer, Stenographer	5 00	per day
Frank L. Gaffney, Stenographer	5 00	per day
Hazel Stark, Stenographer	5 00	per day
Lillian Davey, Stenographer	5 00	per day
Rose Hoey, Stenographer	5 00	per day
Miss H. Guyer, Stenographer	5 00	per day
Ruby Frazier, Stenographer	6 00	per day
Merton Mallory, Clerk of Judiciary Committee	2 50	per day
Robert Zarrick, Page	2 50	per day
Shirley Abramson, Page	2 50	per day
J. E. Stephens, Page	2 50	per day

Resolution adopted.

Also:

Resolved, That the Secretary of the Senate be, and he is hereby authorized and directed to employ during the period of the constitutional recess, at a compensation not exceeding the per diem fixed by law or by resolution by the Senate for similar service, and at an expenditure not exceeding \$9000, such assistants and additional help as may be necessary to carry out the business and directions of the Senate, and for that purpose he is hereby given complete authority over all employees necessary in such work, and the Controller is hereby directed to draw his warrant in favor of the Secretary of the Senate for the said sum of \$9000, payable out of the unexpended portion of the \$5000 per day allowed by law for the payment of officers and employees of the Senate, and the State Treasurer is hereby directed to pay the same.

The Secretary of the Senate is further directed to furnish the Controller with the vouchers and receipts for all expenditures made by him during the said constitutional recess.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—34.
 NOES—None.

By Committee on Contingent Expenses:

Resolved, That there is hereby appropriated out of the Contingent Fund of the Senate \$200, or so much thereof as may be needed, for the purpose of purchasing boxes, packing, mailing and expressing all papers and documents belonging to Senators to their places of residence. Immediately after the adjournment for the constitutional recess, the Sergeant-at-Arms of the Senate shall cause this work to be done and shall file with the Controller of the State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant or warrants in favor of the Sergeant-at-Arms of the Senate for the amount necessarily expended, and the Treasurer is directed to pay the same.

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.
 NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 7—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Concurrent Resolution No. 7 ordered on file.

Senator Breed asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 7 out of order for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SEVEN.

Assembly Concurrent Resolution No. 7—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B. Johnson, M. B. Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Assembly Concurrent Resolution No. 7 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 15—Relative to the passage of an act providing for adjusted compensation for World War veterans—without reference to Printer or Committee, considered engrossed.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senator Arbuckle asked for and was granted unanimous consent to take up Assembly Joint Resolution No. 15 out of order for consideration without reference to committee.

Assembly Joint Resolution No. 15—Relative to the passage of an act providing for adjusted compensation for world war veterans.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 15 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlain, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, M. B. Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—Senator Johnson, A. B.—1.

COMMUNICATION.

The following communication was presented and ordered printed in the Journal:

By Senator Lyon:

LOS ANGELES CHAMBER OF COMMERCE.
LOS ANGELES, CALIFORNIA.

WHEREAS, Government statistics show an appalling and constantly increasing use of narcotics in the United States, and

WHEREAS, Experts declare that seven-tenths of the crimes of violence committed in this country are by addicts, and

WHEREAS, The illegal use of drugs is becoming a most serious menace and the habit is making giant strides over the world generally, and

WHEREAS, It has now become a world problem and must be dealt with as such, and

WHEREAS, It is evident that concerted action must be taken by the nations if lives and homes are to be preserved from the growing menace of this evil, now, therefore, be it

Resolved, By the Board of Directors of the Los Angeles Chamber of Commerce, that the President of the United States be, and hereby is, respectfully urged to give

thought to a plan of international scope and effect to the end that only sufficient of the drug producing plants, trees, vines or flowers be grown to fill actual, legitimate needs; and that the problem may be dealt with in all its ramifications so that this peril may be ended once and for all, and that dope buying, selling, or dealing in any illicit manner may be permanently prevented and thus the young manhood and young womanhood of all races be removed from the danger of narcotic enslavement and ruin. And further, be it

Resolved, That copies of this resolution be sent to our Senators and Representatives in Congress; to the Governor of the State of California, and to our State Senators and Representatives from this district.

I hereby certify that the above is a true and correct copy of resolution adopted by the Board of Directors of the Los Angeles Chamber of Commerce, at the regular meeting on Thursday, January 25, 1923.

Attest: FRANK WIGGINS, Secretary.

W. T. BISHOP, President.

RESOLUTION.

The following resolution was offered:

By Senator Eden:

Resolved, That the Secretary of the Senate be, and he is hereby authorized and directed to deliver to the Secretary of State, to be deposited in the archives, the certified copy of the Colorado River Compact heretofore transmitted by the Department of State of the United States to the Governor of California under date of December 16, 1922; also the letter from the Department of State accompanying the same.

DEPARTMENT OF STATE,

WASHINGTON, December 16, 1922.

The Honorable The Governor of California,
Sacramento.

Sir: I have the honor to enclose herewith a copy of a letter dated December 13, 1922, from Mr. Clarence C. Stetson, Executive Secretary of the Colorado River Commission, and a certified copy of the Colorado River Compact, signed November 24, 1922, by representatives of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming, and approved by the Honorable Herbert Hoover, who represented the interests of the United States in the negotiation of the compact.

This certified copy of the instrument is being sent to you pursuant to the request contained in Mr. Stetson's letter and the provisions of article XI of the compact, which provide that the original shall be deposited in the archives of this department, and that certified copies thereof shall be sent to the governors of the signatory states.

I have the honor to be, Sir, your obedient servant,

CHARLES E. HUGHES.

No. 6036.

UNITED STATES OF AMERICA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, Greeting:

I certify that the document hereunto annexed is a true copy from the original in the archives of this Department. [Colorado River Compact signed November 24, 1922, at the city of Santa Fe, New Mexico.]

In testimony whereof I, Charles E. Hughes, Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said department, in the District of Columbia, this fifteenth day of December, 1922.

CHARLES E. HUGHES,
Secretary of State.

By BEN G. DAVIS,
Chief Clerk.

COLORADO RIVER COMPACT.

The states of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming, having resolved to enter into a compact under the act of the Congress of the United States of America approved August 19, 1921 (42 Statutes at Large, page 171), and the acts of the legislatures of the said states, have through their governors appointed as their commissioners:

W. S. Norviel, for the State of Arizona
W. F. McClure, for the State of California
Delph E. Carpenter, for the State of Colorado
J. G. Scrugham, for the State of Nevada
Stephen B. Davis, Jr., for the State of New Mexico
R. E. Caldwell, for the State of Utah
Frank C. Emerson, for the State of Wyoming

who, after negotiations participated in by Herbert Hoover appointed by the President as the representative of the United States of America, have agreed upon the following articles:

Article I.

The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River System; to establish the relative importance of different beneficial uses of water; to promote interstate comity; to remove causes of present and future controversies; and to secure the expeditious agricultural and industrial development of the Colorado River Basin, the storage of its waters and the protection of life and property from floods. To these ends the Colorado River Basin is divided into two basins, and an apportionment of the use of part of the water of the Colorado River System is made to each of them with the provision that further equitable apportionments may be made.

Article II.

As used in this compact:

(a) The term "Colorado River System" means that portion of the Colorado River and its tributaries within the United States of America.

(b) The term "Colorado River Basin" means all of the drainage area of the Colorado River System and all other territory within the United States of America to which the waters of the Colorado River System shall be beneficially applied.

(c) The term "states of the Upper Division" means the states of Colorado, New Mexico, Utah and Wyoming.

(d) The term "states of the Lower Division" means the states of Arizona, California and Nevada.

(e) The term "Lee Ferry" means a point in the main stream of the Colorado River one mile below the mouth of the Paria River.

(f) The term "Upper Basin" means those parts of the states of Arizona, Colorado, New Mexico, Utah and Wyoming within and from which waters naturally drain into the Colorado River System above Lee Ferry, and also all parts of said states located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the system above Lee Ferry.

(g) The term "Lower Basin" means those parts of the states of Arizona, California, Nevada, New Mexico and Utah within and from which waters naturally drain into the Colorado River System below Lee Ferry, and also all parts of said states located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the system below Lee Ferry.

(h) The term "domestic use" shall include the use of water for household, stock, municipal, mining, milling, industrial and other like purposes, but shall exclude the generation of electrical power.

Article III.

(a) There is hereby apportioned from the Colorado River System in perpetuity to the Upper Basin and to the Lower Basin respectively the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

(b) In addition to the apportionment in paragraph (a), the Lower Basin is hereby given the right to increase its beneficial consumptive use of such waters by one million acre-feet per annum.

(c) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River System, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b); and if such surplus shall prove insufficient for this purpose, then, the burden of such deficiency shall be equally borne by the Upper Basin and the Lower Basin, and whenever necessary the states of the Upper Division shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (d).

(d) The states of the Upper Division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of ten consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact.

(e) The states of the Upper Division shall not withhold water, and the states of the Lower Division shall not require the delivery of water, which can not reasonably be applied to domestic and agricultural uses.

(f) Further equitable apportionment of the beneficial uses of the waters of the Colorado River System unapportioned by paragraphs (a), (b) and (c) may be made in the manner provided in paragraph (g) at any time after October first, 1923, if and when either basin shall have reached its total beneficial consumptive use as set out in paragraphs (a) and (b).

(g) In the event of a desire for a further apportionment as provided in paragraph (f) any two signatory states, acting through their governors, may give joint notice of such desire to the governors of the other signatory states and to the President of the United States of America, and it shall be the duty of the governors of the signatory states and of the President of the United States of America forthwith to appoint representatives, whose duty it shall be to divide and apportion equitably between the Upper Basin and Lower Basin the beneficial use of the unapportioned water of the Colorado River System as mentioned in paragraph (f), subject to the legislative ratification of the signatory states and the Congress of the United States of America.

Article IV.

(a) Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural and power purposes. If the Congress shall not consent to this paragraph, the other provisions of this compact shall nevertheless remain binding.

(b) Subject to the provisions of this compact, water of the Colorado River System may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes.

(c) The provisions of this article shall not apply to or interfere with the regulation and control by any state within its boundaries of the appropriation, use and distribution of water.

Article V.

The chief official of each signatory state charged with the administration of water rights, together with the Director of the United States Reclamation Service and the Director of the United States Geological Survey shall cooperate, ex officio:

(a) To promote the systematic determination and coordination of the facts as to flow, appropriation, consumption and use of water in the Colorado River Basin, and the interchange of available information in such matters.

(b) To secure the ascertainment and publication of the annual flow of the Colorado River at Lee Ferry.

(c) To perform such other duties as may be assigned by mutual consent of the signatories from time to time.

Article VI.

Should any claim or controversy arise between any two or more of the signatory states; (a) with respect to the waters of the Colorado River System not covered by the terms of this compact; (b) over the meaning or performance of any of the terms of this compact; (c) as to the allocation of the burdens incident to the performance of any article of this compact or the delivery of waters as herein provided; (d) as to the construction or operation of works within the Colorado River Basin to be situated in two or more states, or to be constructed in one state for the benefit of another state; or (e) as to the diversion of water in one state for the benefit of another state; the governors of the states affected, upon the request of one of them, shall forthwith appoint commissioners with power to consider and adjust such claim or controversy, subject to ratification by the legislatures of the states so affected.

Nothing herein contained shall prevent the adjustment of any such claim or controversy by any present method or by direct future legislative action of the interested states.

Article VII.

Nothing in this compact shall be construed as affecting the obligations of the United States of America to Indian tribes.

Article VIII.

Present perfected rights to the beneficial use of waters of the Colorado River System are unimpaired by this compact. Whenever storage capacity of 5,000,000 acre-feet shall have been provided on the main Colorado River within or for the benefit of the Lower Basin, then claims of such rights, if any, by appropriators or users of water in the Lower Basin against appropriators or users of water in the Upper Basin shall attach to and be satisfied from water that may be stored not in conflict with article III.

All other rights to beneficial use of waters of the Colorado River System shall be satisfied solely from the water apportioned to that basin in which they are situated.

Article IX.

Nothing in this compact shall be construed to limit or prevent any state from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under this compact or the enforcement of any of its provisions.

Article X.

This compact may be terminated at any time by the unanimous agreement of the signatory states. In the event of such termination all rights established under it shall continue unimpaired.

Article XI.

This compact shall become binding and obligatory when it shall have been approved by the legislatures of each of the signatory states and by the Congress of the United States. Notice of approval by the legislatures shall be given by the governor of each signatory state to the governors of the other signatory states and to the President of the United States, and the President of the United States is requested to give notice to the governors of the signatory states of approval by the Congress of the United States.

In witness whereof, the commissioners have signed this compact in a single original which shall be deposited in the archives of the Department of State of the United States of America and of which a duly certified copy shall be forwarded to the governor of each of the signatory states.

Done at the city of Santa Fe, New Mexico, this twenty-fourth day of November, A. D. 1922.

(Signed) W. S. NORVIEL
W. F. MCCLURE
DELPH E. CARPENTER
J. G. SCRUGHAM

STEPHEN B. DAVIS, JR.
R. E. CALDWELL
FRANK C. EMERSON

Approved:

(Signed) HERBERT HOOVER

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 164.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

RECESS.

At eleven o'clock and forty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess for five minutes.

RECONVENED.

At eleven o'clock and forty-five minutes a.m., the Senate reconvened. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Breed: Senate Bill No. 647—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read first time, and referred to Committee on Finance.

By Senator Boggs: Senate Bill No. 648—An act making an appropriation for repairs and replacements at the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Johnson, M. B.: Senate Bill No. 649—An act to add a new section to the Code of Civil Procedure, to be numbered section 1718,

relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Murphy: Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 651—An act to amend an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section 1 thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Lyon: Senate Bill No. 652—An act to amend section 1248 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 653—An act to provide for a central bureau of identification; and providing that the State Board of Prison Directors shall establish at San Quentin Penitentiary a central bureau of identification for the purpose of keeping records of identification of all persons accused or convicted of crime and to prescribe uniform methods of obtaining such records by all peace officers in the State of California.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Harley: Senate Bill No. 654—An act to provide for the licensing of dealers in motor vehicle tires, the payment of a license fee therefor and to provide a fund to maintain the highways, roads and streets in municipal corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Gates, E. J.: Senate Bill No. 655—An act to amend section 10 of an act entitled "Improvement Act of 1911."

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Johnson, A. B.: Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires.

Bill read first time, and referred to Committee on Conservation.

By Senator Johnson, M. B.: Senate Bill No. 657—An act authorizing the creation of a Bureau of Capriculture in the Department of Agriculture to promote the Development of the California goat industry; to establish standards of sanitation in the conduct of the milk goat industry, and of the chemical and physical properties of goat milk and other goat dairy products used for public consumption, and to provide for the issuance of permits authorizing the conduct of dairies furnishing (selling) goat milk.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senators Gray and Canepa: Senate Bill No. 658—An act declaring that the public interest and convenience requires the doing of certain work and improvement and the cutting down of the high ground and the filling in of the low ground in a district of land partly in the city and county of San Francisco and partly in the county of San Mateo; and creating a board to be known as the "Peninsula water front board" and prescribing its powers and duties; and authorizing and directing it to do and perform certain acts and duties with respect to said proposed work and improvement, and to employ and pay assistants and employees in the premises; and appropriating the sum of fifty thousand dollars for the purposes of carrying out the provisions of this act.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Chamberlin: Senate Bill No. 659—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Lewis: Senate Bill No. 660—An act to regulate the incumbrance of real estate and mixed property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 661—An act to amend Street Act, commonly known as the Shenk or Cash Act of 1913, for the improving or acquiring of property for public use.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Boggs: Senate Bill No. 662—An act transferring from the fund for additional land at the Preston School of Industry to the fund for the support of said institution.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Canepa: Senate Bill No. 663—An act to amend section 628 of the Penal Code of California, relating to the protection of fish, shrimps, catfish, sturgeon, shellfish and lobsters.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 664—An act to clothe the Highway Commission with power in case of necessity to advance money to counties for the purpose of constructing units of the State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 665—An act to provide for the furnishing recreation piers on the water front of the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 666—An act to provide for the construction and maintenance of comfort stations on the water front of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Inman: Senate Bill No. 667—An act to provide for the inspection and grading of lubricating oils under the direction of the Department of Agriculture.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Slater: Senate Bill No. 668—An act to amend section 4 of the Direct Primary Law, relating to transmission to Secretary of State of statement by county clerks or registrar of voters of number of electors qualified to vote.

Bill read first time, and referred to Committee on Elections.

By Senator Sharkey: Senate Bill No. 669—An act to add a new section to be numbered 3a, to an act entitled "The Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lewis: Senate Bill No. 670—An act to add a new section to be numbered 13 to an act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities; and also for the payment of such bonds," approved February 27, 1893.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Lewis: Senate Bill No. 671—An act to devise a new system of taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Osborne: Senate Bill No. 672—An act to further divide the State into fish and game districts by establishing a district in the region of Loma Prieta, in Santa Clara and Santa Cruz counties, specially suited for the propagation of game birds and animals, and to provide for the management and protection thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Jones: Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Burnett: Senate Bill No. 674—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Inman: Senate Bill No. 675—An act to add a new section to the Civil Code to be numbered 653*sd*, relating to assessments.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Allen: Senate Bill No. 676—An act to authorize the planting of trees for wind breaks and making an appropriation to carry out the purposes thereof.

Bill read first time, and referred to Committee on Finance.

By Senator Hurley: Senate Bill No. 677—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913; amended May 27, 1919; May 30, 1921; and June 1, 1921.

Bill read first time, and referred to Committee on Civil Service.

By Senator Gates, Dr.: Senate Bill No. 678—An act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Allen: Senate Bill No. 679—An act to add a new section to the Code of Civil Procedure to be numbered 1161*a*, relating to immediate dispossession of tenant after expiration of statutory time after notice.

Bill read first time, and referred to Committee on Judiciary.

By Senator McDonald (by request): Senate Bill No. 680—An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in

the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purposes and intent of this act.

Bill read first time, and referred to Committee on Labor and Capital.

The following resolutions were offered:

By Senator Canepa: Senate Concurrent Resolution No. 14—Relative to a codification and compilation of the fish and game laws of this State. Resolution referred to Committee on Fish and Game.

By Senator Lewis: Senate Joint Resolution No. 9—Relative to narcotics.

Resolution referred to Committee on Federal Relations.

By Senators Harris and Dennett: Senate Joint Resolution No. 10—Relative to economic complications in Europe.

Resolution referred to Committee on Federal Relations.

By Senator Canepa: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California to amend section 36 of article IV of the constitution, relative to the State highway system.

Constitutional Amendment referred to Committee on Constitutional Amendments.

By Senator Chamberlin: Senate Constitutional Amendment No. 25—Proposed amendment to article VI of the constitution, relative to the Judicial Department.

Constitutional Amendment referred to Committee on Constitutional Amendments.

Senator Breed asked for and was granted unanimous consent to have, with the concurrence of the Assembly, four thousand (4,000) copies of the Governor's Budget printed, the expense to be paid from the fund for legislative printing.

COMMUNICATION—(OUT OF ORDER).

The following communication was presented:

By Senator Inman:

OLYMPUS PARLOR No. 189, N. S. G. W.,
SAN FRANCISCO, CALIFORNIA, January 24, 1923.

Hon. C. C. Young,
Lieutenant Governor and President of the Senate,
Sacramento, California.

DEAR SIR: We beg to advise that on Wednesday, the twenty-fourth day of January, 1923, Olympus Parlor No. 189, N. S. G. W., adopted the following resolution:

WHEREAS, There has been in California a constant growth of so-called Japanese language schools and they have grown to such proportions as to be a menace to our institutions and it now appears that the creation and maintenance of such schools is designedly fostered and encouraged by Japanese of perverted national feeling, both officially and privately, to provide centers of Japanese culture and defences against Americanization, and that every such school is a hostile outpost of the Orient;

Resolved, That Olympus Parlor No. 189, N. S. G. W., record its sense that such Japanese language schools be abolished by law and that it memorialize, and it hereby does memorialize the Legislature of the State of California to adopt a legislation necessary to put an end to the menace of Japanese language schools in California.

Very respectfully,
[SEAL]

OLYMPUS PARLOR No. 189, N. S. G. W.,
By THOS. B. LYNCH,
I. M. PECKHAM,
F. I. BUTLER,
Anti-Japanese Committee.

Communication ordered printed in the Journal.

Senator Breed, President pro tempore, in the chair.

At eleven o'clock and fifty minutes a. m., Senator Breed, President pro tempore, was called to the chair.

RESOLUTION.

The following resolution was presented:

By Senator Ingram:

Resolved, That a committee of three be appointed by the President of the Senate to notify the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communications to transmit to the Senate.

Resolution adopted.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE.

In accordance with the above resolution, Senators Ingram, Slater and McDonald were named as the committee to inform the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communication to transmit to the Senate.

RESOLUTION.

The following resolution was presented:

By Senator Murphy:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution adopted.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE.

In accordance with the above resolution the President pro tempore appointed Senators Murphy, Inman and Carr as a committee to inform the Assembly that the Senate is ready to adjourn for the constitutional recess and to ask if the Assembly has any further communication to transmit to the Senate.

APPROVAL OF JOURNALS.

On motion of Senator Jones, the Senate Journals of Friday, January 26; Monday, January 29; Tuesday, January 30; Wednesday, January 31, and Thursday, February 1, were approved as corrected.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 2, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Also: Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento;

Also: Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco;

Also: Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922;

And reports that the same has been correctly enrolled, and presented the same to the Governor on this second day of February, 1923, at eleven o'clock and fifty-five minutes a.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 12—Approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922—and reports that the same has been correctly enrolled, and presented the same to the Governor on this second day of February, 1923, at eleven o'clock and fifty-five minutes a.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 4—Relative to the establishment of a forest experiment station in California—and reports that the same has been correctly enrolled, and presented the same to the Governor on this second day of February, 1923, at eleven o'clock and fifty-five minutes a.m.

GATES, DR., Chairman.

REPORT OF COMMITTEE.

Senator Ingram, as Chairman of the committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn for the constitutional recess, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

REPORT OF COMMITTEE.

Senator Murphy, as Chairman of the committee appointed to inform the Assembly of the readiness of the Senate to adjourn for the constitutional recess, reported that the committee had delivered the message of the Senate and had been requested by the Assembly to inform the Senate that the Assembly had no further communication to transmit as they were prepared to adjourn for the constitutional recess.

APPROVAL OF THE MINUTES.

The minutes of this day, Friday, February 2, 1923, were read, and on motion of Senator Jones, approved as read.

ADJOURNMENT.

Thereupon, at twelve o'clock noon, in accordance with the provisions of Assembly Concurrent Resolution No. 5, Senator Breed, President pro tempore of the Senate, declared the Senate adjourned for the constitutional recess, to reconvene at twelve o'clock, noon, on Monday, March 5, 1923.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Monday, March 5, 1923.

Pursuant to the provisions of Assembly Concurrent Resolution No. 5, the Senate reconvened at twelve o'clock noon.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

LEAVES OF ABSENCE.

Senators Canepa and Nelson were, on motion of Senator Crowley, granted leaves of absence for this day.

Senators Chamberlin and Arbuckle were, on motion of Senator Breed, granted leaves of absence for this day.

Senators Hart and Lyon were, on motion of Senator Johnson, A. B., granted leaves of absence for this day.

CERTIFICATE FROM SECRETARY OF STATE.

By direction of the President, the Secretary read the following certificate of the election of Ralph L. Hughes as Senator of the forty-fifth session of the Legislature of the State of California:

STATE OF CALIFORNIA—DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that Ralph L. Hughes was elected to the office of State Senator, Seventeenth Senatorial District, vice E. S. Rigdon, deceased, at the special election held in said Seventeenth Senatorial District on the thirtieth day of January, 1923, as appears by the official returns of said election and statement thereof on file in my office.

Witness my hand and official seal this sixteenth day of February, A. D. 1923.

[SEAL]

FRANK C. JORDAN, Secretary of State.

OATH OF OFFICE ADMINISTERED.

Senator-elect Hughes, being present, came forward, presented his certificate of election, and took and subscribed to the following constitutional oath of office, administered by Hon. C. C. Young, President of the Senate:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator according to the best of my ability.

ROLL CALL.

The President directed the Secretary to call the roll of Senator Hughes. The roll was called and Senator Hughes answered to his name as follows:

Senator Hughes—1.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount and the Treasurer is hereby directed to pay the same:

John P. Rice, Minute Clerk----- \$9 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—28.

NOES—None.

By Senator Jones:

Resolved, That the President of the Senate appoint a special committee of three, to notify the Governor that the Senate has reconvened after the constitutional recess, in accordance with Assembly Concurrent Resolution No. 5, and is now ready to receive any communication he may have to make.

Resolution adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced, in accordance with the above resolution, the appointment of Senators Jones, Burnett and Rush, as a committee to notify the Governor that the Senate has reconvened.

By Senator Ingram:

Resolved, That the President of the Senate appoint a special committee of three to notify the Assembly that the Senate has reconvened after the constitutional recess, in accordance with Assembly Concurrent Resolution No. 5, and is ready to proceed with the business of the State.

Resolution adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced, in accordance with the above resolution, the appointment of Senators Ingram, Carr and Handy as a committee to notify the Assembly that the Senate has reconvened.

MESSAGE FROM THE ASSEMBLY.

Assemblymen Baker, Dorris and Fox, a special committee from the Assembly, appeared before the bar of the Senate and presented the following message:

Resolved, That the Chief Clerk of the Assembly be directed to notify the Senate that the Assembly has reconvened, pursuant to Assembly Concurrent Resolution No. 5 adopted on February 2, 1923, and is ready to proceed with the business of the State, with all officers heretofore elected present, to wit:

Speaker.....	Hon. Frank F. Merriam
Speaker pro tempore.....	Hon. Frank W. Anderson
Chief Clerk.....	Arthur A. Ohnibus
Minute Clerk.....	C. Wm. Booth
Chaplain.....	Bishop Wm. H. Moreland
Sergeant-at-Arms.....	Wm. J. Leflar

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 5—An act to repeal section 12 of an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and

repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, statutes of California of 1913, page 1429," approved May 31, 1917.

In the absence of the author, Senate Bill No. 5 was passed on file.

Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole.

In the absence of the author, Senate Bill No. 181 was passed on file.

Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley irrigation district under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 112—An act to amend section 2192 of the Political Code, relating to the Sonoma Home for Feeble-Minded.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Senate Bill No. 36 ordered re-referred to Committee on County Government.

Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure, to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 33 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 104—An act to amend section 1668 of the Civil Code, relating to certain unlawful contracts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 104 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION—OUT OF ORDER.

The following resolution was offered:

By Senator Breed:

IN MEMORIAM.

When life has endowed one with:

A quick mind to grasp the special science of his profession.

A clear eye to detect the approved recent advancement.

A gifted tongue that carries conviction.

A profound knowledge of human nature.

A magnetic personality.

Enthusiasm, born of sincerity.

Tact, coupled with optimism.

Firmness, associated with justice.

those around him find such an existence so indispensable as to believe it perpetual.

HON. GEORGE C. PERKINS

Served his country as Governor of this State, and as United States Senator for twenty-two years, typifying all that was good and great in public life, and when Death, the friend of the aged, encompasses all that is mortal in his last embrace,

though it be expected, yet the shock to the public and to his friends is severe; the vacuum the more bewildering, the regret the more lasting. That others may not forget, the Senate of the State of California this day

Resolved, to adjourn in honor of his memory, and dedicate this brief memoria upon the pages of its history to the loving memory of a loyal, genial and devoted American; therefore, be it

Resolved, That when the Senate this day adjourns, it adjourn out of respect to the memory of the Honorable George C. Perkins; and be it further

Resolved, That the Secretary of the Senate be and is hereby instructed to engross certain copies of these resolutions and transmit them to the bereaved family.

Resolution read, and unanimously adopted by a rising vote.

ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of United States Senator Hon. George C. Perkins, until Tuesday, March 6, 1923, at 11 o'clock a.m.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, March 6, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 5, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Canepa was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Dennett was, on motion of Senator Harris, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Minerva Silva of Newcastle.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 6, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 673, entitled—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—7; noes—3.

JONES, Chairman.

Bill read second time, and ordered on file for third reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 645, entitled—An act to amend section 1272a of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer;

Also: Senate Bill No. 649, entitled—An act to add a new section to the Code of Civil Procedure, to be numbered section 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—6; noes—4.

JONES, Chairman.

Bills read second time, and ordered on file for third reading.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

SENATE CHAMBER, SACRAMENTO, March 6, 1923.

To the Senate of the State of California.

I beg leave to inform you that I have appointed Henry Frazier as Page, at a per diem of \$2.50; Shirley Abramson as Page, at a per diem of \$2.50; J. E. Stephens as Page, at a per diem of \$2.50; Lemar Traster as Page, at a per diem of \$2.50; and respectfully request the consent of the Senate thereto.

C. C. YOUNG, President of the Senate.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gedsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—35.

NOES—None.

Also:

Resolved, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the pay roll of the Senate:

Gladys Pomeroy, Stenographer----- \$5 00 per day

Resolution read, and on motion of Senator Breed, adopted.

Also:

Resolved, That William S. Street, Press Mailing Clerk at \$4.00 per day, be transferred to the position of Clerk of the Finance Committee at \$6.00 per day.

Resolution read.

Senator Breed moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES: Senators Allen, Armistead, Boggs, Boord, Burnett, Carr, Chamberlin, Creighton, Crowley, Eden, Gage, Dr. Goolsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Roaninger, Rush, Sample, Slater, Swing, and West—34.
 NOES: None.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Osborne:

SENATE CHAMBER, SACRAMENTO, March 6, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit: An act to amend sections 7, 8a, and 8c, of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 5—An act to repeal section 12 of an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," approved May 31, 1917.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

SENATE COMMITTEE AMENDMENTS TO SENATE BILL NUMBER FIVE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out the word "repeal" and insert in lieu thereof the word "amend".

AMENDMENT NUMBER TWO.

On page 1, in line 13, of the printed bill, strike out the word "repealed" and insert in lieu thereof the following after the word "hereby":
 "amended to read as follows:

Sec. 12. No semireproof hotel building hereafter erected shall exceed six stories at any point, nor more than sixty-five feet in height (except as hereinafter provided), nor more than one and one-half times the width of the widest street to which the lot on which it is situated abuts.

No wooden hotel hereafter erected shall exceed three stories at any point, nor more than thirty-six feet in height (except as hereinafter provided), nor more than one and one-half times the width of the widest street to which the lot on which it is situated abuts.

The width of the street, for this purpose, shall be measured from the extreme front of the building to the "front of lot" opposite, across the street.

For the purposes of this section, a basement is a story.

The height of a semireproof or of a wooden hotel is the perpendicular distance from the curb level or adjoining ground levels to the lowest point of the finished ceiling of the top story: *provided*, that in the case of a semireproof hotel situated on a lot with the ground sloping downward from the facade at which the measure-

ment is taken the height of the building shall not at any point exceed sixty-five feet above the curb level measured on the facade facing the street, nor shall the height of the building at any point of the grade exceed seventy-five feet above the adjoining curb in case of a corner lot, or above the level of the ground in the case of an interior lot, and in the case of a wooden hotel situated on a lot with the ground sloping downward from the facade at which the measurement is taken the height of the building shall not at any point exceed thirty-six feet above the curb line measured on the facade facing the street, nor shall the height of the building at any point of the grade exceed forty-six feet above the adjoining curb in the case of a corner lot or above the level of the ground in the case of an interior lot."

Amendments adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the presidential primary act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

In the absence of the author, Senate Bill No. 68 was passed on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 265—An act authorizing and instructing the State Controller and the State Treasurer to accept from the directors of the Sixth District Agricultural Association as full satisfaction and in complete compliance with the terms of that certain act entitled, "An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special expositions at Exposition Park, Los Angeles," approved June 1, 1917, the sum of \$11,413.94, in cash already deposited in the State treasury, and the inventory of permanent improvements made upon the State's property at Exposition Park, Los Angeles, from funds of the revolving fund provided in the above mentioned act.

Senate Bill No. 205 re-referred to Committee on Agriculture and Live Stock.

RECESS.

At eleven o'clock and twenty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of eleven thirty o'clock a.m.

RECONVENED.

At eleven o'clock and thirty minutes a.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Beek at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on February 2, 1923, adopted Assembly Joint Resolution No. 5—Relative to an investigation of the growing narcotic menace.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Joint Resolution No. 5 referred to Committee on Federal Relations.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrant for the said respective amounts, and the Treasurer is directed to pay the same:

G. Melvin Warren, Assistant Secretary-----	\$0 00	per diem
Lillian J. Boyd, Assistant Secretary-----	7 00	per diem
Beatrice B. Rheinstrom, Assistant Secretary-----	7 00	per diem
W. T. Christensen, Assistant at Desk-----	5 00	per diem
Lillian Burger, Assistant Minute Clerk-----	7 00	per diem
Rowena M. Crowley, Assistant Minute Clerk-----	7 00	per diem
Wellington Bowser, Journal Clerk-----	7 00	per diem
Gilbert A. Cowan, Assistant Journal Clerk-----	5 00	per diem
Carrie A. Garrison, Assistant Journal Clerk-----	5 00	per diem
W. W. Van Pelt, Engrossing and Enrolling Clerk-----	7 00	per diem
A. M. Nolan, Assistant Engrossing and Enrolling Clerk-----	5 00	per diem
Florence N. True, Asst. Engrossing and Enrolling Clerk-----	5 00	per diem
J. T. Macdonald, History Clerk-----	7 00	per diem
A. Reggiardo, Assistant History Clerk-----	5 00	per diem
Leonard J. Scheck, Assistant File Clerk-----	5 00	per diem
Mrs. Ruth Fuller, Asst. Engrossing and Enrolling Clerk-----	5 00	per diem
Marius Burnett, Assistant Sergeant-at-Arms-----	5 00	per diem
W. A. Hicks, Assistant Sergeant-at-Arms-----	5 00	per diem
Louis Holden, Assistant Sergeant-at-Arms-----	5 00	per diem
James Seifert, Assistant Sergeant-at-Arms-----	5 00	per diem
William J. Ferguson, Assistant Sergeant-at-Arms-----	5 00	per diem
Lawrence Furlong, Assistant Sergeant-at-Arms-----	5 00	per diem
P. F. Dugan, Assistant Sergeant-at-Arms-----	5 00	per diem
Otto E. Makowski, Assistant Sergeant-at-Arms-----	5 00	per diem
Frank Moore, Assistant Sergeant-at-Arms-----	5 00	per diem
A. J. Haynes, Assistant Sergeant-at-Arms-----	5 00	per diem
Thomas Casey, Assistant Sergeant-at-Arms-----	5 00	per diem
James Magannis, Assistant Sergeant-at-Arms-----	5 00	per diem
J. E. Reynolds, Assistant Sergeant-at-Arms-----	5 00	per diem
George Ricketts, Assistant Sergeant-at-Arms-----	5 00	per diem
George Corvi, Assistant Sergeant-at-Arms-----	5 00	per diem
J. R. Fuller, Assistant Sergeant-at-Arms-----	5 00	per diem
W. H. Iron, Assistant Sergeant-at-Arms-----	5 00	per diem
Albert A. Marty, Assistant Sergeant-at-Arms-----	5 00	per diem
Mary L. Finney, Postmistress-----	4 00	per diem
Hattie Newsom, Assistant Postmistress-----	4 00	per diem
Verda Archer, Assistant Postmistress-----	4 00	per diem
E. Herman, Press Mailing Clerk-----	4 00	per diem
Anna E. McMahon, Press Mailing Clerk-----	4 00	per diem
Mrs. J. Carter, Press Mailing Clerk-----	4 00	per diem
Lottie Heard, Chief Stenographer-----	6 00	per diem
Leona Hand, Stenographer-----	5 00	per diem
Gladys B. Cox, Stenographer-----	5 00	per diem
Fay Leonard, Stenographer-----	5 00	per diem
Eva M. Kunes, Stenographer-----	5 00	per diem
Marguerite Sweet, Stenographer-----	5 00	per diem
Elfriede M. Wuesthoff, Stenographer-----	5 00	per diem
A. E. Wakefield, Stenographer-----	5 00	per diem
Mae Fitzpatrick, Stenographer-----	5 00	per diem

M. S. West, Stenographer.....	\$5 00 per diem
May McLane, Stenographer.....	5 00 per diem
Kathleen Tuitt, Stenographer.....	5 00 per diem
James Kenny, Stenographer.....	5 00 per diem
Merle McMillan, Stenographer.....	5 00 per diem
Agnes Shearer, Stenographer.....	5 00 per diem
Marie Seitz, Stenographer.....	5 00 per diem
George C. King, Stenographer.....	5 00 per diem
Rose A. Croner, Stenographer.....	5 00 per diem
Frank L. Gaffney, Stenographer.....	5 00 per diem
Hazel Stark, Stenographer.....	5 00 per diem
Lillian Davey, Stenographer.....	5 00 per diem
Rose Hoey, Stenographer.....	5 00 per diem
Miss H. Guyer, Stenographer.....	5 00 per diem
Ruby Frazier, Stenographer.....	5 00 per diem
Norine Morrill, Stenographer.....	5 00 per diem
Verda Roberts, Stenographer.....	5 00 per diem
Merton Mallory, Clerk of Judiciary Committee.....	6 00 per diem
Marie Wahl, Committee Clerk.....	4 00 per diem

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Carr, Creighton, Crowley, Eden, Gates, Dr., J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

ADJOURNMENT.

At eleven o'clock and forty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Wednesday, March 7, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 6, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senators Crowley and Canepa were, on motion of Senator Murphy, granted leaves of absence for this day.

Senator McDonald was, on motion of Senator Godsil, granted leave of absence for this day.

Senator Inman was, on motion of Senator Jones, granted leave of absence for this day.

PRIVILEGES OF THE FLOOR.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. A. M. Shreve of Long Beach.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Percy E. Towne of San Francisco.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 6, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 507. An act to amend section 626*m* of the Penal Code, relating to the protection of game has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes 8; noes 0; absentees 7.

ROMINGER, Chairman.

Senate Bill No. 507 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 213. An act to amend section 628*b* of the Penal Code, relating to the protection of fish:

Also: Senate Bill No. 302. An act to amend section 626*k* of the Penal Code, relating to the protection of game:

Also: Senate Bill No. 334. An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game:

Also: Senate Bill No. 463. An act to amend section 151 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1914, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended, relating to fish and game districts:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership 15; committee vote: Ayes 8; noes 0; absentees—7.

ROMINGER, Chairman.

Senate Bills Nos. 213, 302, 334 and 463 read, and ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 6, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 3. An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation:

Also: Senate Bill No. 42. An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges:

Also: Senate Bill No. 60. An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges.

Also, Senate Bill No. 94. An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court:

Also: Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County;

Also: Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737*ee*, relating to the salaries of superior court judges; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership: 9; committee vote: Ayes: 7; noes: 0; absent: 2.

JOHNSON, M. B., Chairman.

Senate Bills Nos. 3, 42, 66, 94, 107, 132 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737*eee*, relating to the salaries of superior court judges—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that it do pass as amended, and be re-referred to the Committee on Finance.

Committee membership: 9; committee vote: Ayes: 7; noes: 0; absent: 2.

JOHNSON, M. B., Chairman.

Senate Bill No. 599 re-referred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 7, 1923

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley Irrigation District under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended:

Also: Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act;

Also: Senate Bill No. 112—An act to amend section 2192 of the Political Code, relating to the Sonoma Home for Feeble-Minded;

Also: Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof;

Also: Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 5—An act to amend section 12 of an act entitled, "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, statutes of California of 1913, page 1429," approved May 31, 1917 and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Allen:

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit: An act creating a commission for the revising, systematizing and reforming of the laws of this State, providing for the appointment of the members of said commission, prescribing the powers and duties of said commission, and making an appropriation therefor.

Request referred to Committee on Rules.

By Senator Nelson:

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit: An act to amend an act entitled "An act to prevent the formation and prohibit existence of secret, oath bound fraternities in public schools," approved March 13, 1909, by amending sections 1 and 2 of said act.

Request referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit: An act to repeal an act entitled "An act to provide for the accomplishment of the work of constructing a breakwater in Monterey Bay, California, as recommended in the report of the Chief of Engineers, United States Army, and printed in a document of the United States House of Representatives, No. 1084, Sixty-first Congress, third session, calling for an expenditure of \$800,000 and making an appropriation for such work," approved March 15, 1911.

Request referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY — (OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 6 passed the following:

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16a;

Also: Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway;

Also: Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20a, providing for the alteration of the boundaries of drainage districts;

Also: Assembly Bill No. 73—An act to amend an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County;

Also: Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County;

Also: Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 14 read first time, and referred to Committee on Education.

Assembly Bills Nos. 17 and 73 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 19 and 74 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 87 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 6th passed the following:

Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts:

Also: Assembly Bill No. 130—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees:

Also: Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 115 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 130 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 150 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 6th adopted as amended: Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California, voted for and ratified by the qualified electors of said Butte County at the general election held therein on the seventh day of November, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Senate Concurrent Resolution No. 7 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 600—An act appropriating money for the home demonstration service by the College of Agriculture of the University of California:

Also: Senate Bill No. 584—An act making an appropriation for the support, maintenance and equipment of the University of California:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass, with recommendation that it be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—6; noes—0; absent—3.

WEST, Chairman.

Senate Bills Nos. 600 and 584 re-referred to Committee on Finance.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Senator	County	Mileage	Total at 10 cents
Allen, Newton M.	Los Angeles	894	\$89 40
Arbuckle, F. A.	Santa Barbara	920	92 00
Boggs, Frank S.	San Joaquin	96	9 60
Breed, A. H.	Alameda	168	16 80
Burnett, L. G.	San Francisco	180	18 00
Canepa, V. J.	San Francisco	180	18 00
Carr, Frank M.	Alameda	168	16 80
Chamberlin, Harry A.	Los Angeles	894	89 40
Creighton, John	Kern	574	57 40
Crowley, J. J.	San Francisco	180	18 00
Dennett, L. L.	Stanislaus	154	15 40
Eden, Walter	Orange	962	96 20
Gates, Dr. W. F.	Butte	172	17 20
Gates, E. J.	Los Angeles	910	91 00
Godsill, Charles W.	San Francisco	180	18 00
Gray, P. J.	San Francisco	180	18 00
Handy, Fred C.	Mendocino	300	30 00
Harris, M. B.	Fresno	238	23 80
Hart, D. H.	Los Angeles	894	89 40
Hughes, Ralph L.	Monterey	416	41 60
Hurley, Edgar C.	Alameda	168	16 80
Ingram, Thomas	Nevada	154	15 40
Inman, J. M.	Sacramento	2	20
Johnson, A. Burlingame	Los Angeles	912	91 20
Johnson, M. B.	San Mateo	238	23 80
Jones, H. C.	Santa Clara	256	25 60
Lewis, Charles H. V.	Los Angeles	894	89 40
Lyon, C. W.	Los Angeles	926	92 60
McDonald, Walter A.	San Francisco	180	18 00
Murphy, Daniel C.	San Francisco	180	18 00
Nelson, H. C.	Humboldt	624	62 40
Osborne, A. E.	Santa Clara	280	28 00
Powers, F. J.	Modoc	832	83 20
Rominger, J. A.	Los Angeles	938	93 80
Rush, Benj. F.	Solano	80	8 00
Sample, E. P.	San Diego	1,146	114 60
Sharkey, W. R.	Contra Costa	124	12 40
Slater, H. W.	Sonoma	180	18 00
Swing, Ralph E.	San Bernardino	1,916	191 60
West, T. O.	Alameda	168	16 80

OFFICERS.

Young, C. C., President	Alameda	168	\$16 80
Rice, John P., Minute Clerk	San Francisco	180	18 00

LEWIS, Chairman.
CREIGHTON,
SWING.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Also:

Resolved, That the Controller be, and he is, hereby authorized and directed to draw his warrant on the contingent fund of the Senate in the sum of \$2,064.69 in favor of the Secretary of the Senate, to pay the amounts as itemized below, and the State Treasurer is hereby ordered to pay the same:

Supply Department of the State of California:		
Supplies furnished Senate		\$876 69
II. Ebel, Florist:		
Wreath and ribbon placed on Senator Rigdon's desk		6 00
Western Union Telegraph Company:		
For services		2 94
Sleeper Stamp Company:		
Numbering machine	\$14 88	
6 Page badges at 85 cents	5 10	
15 Sergeant-at-Arms badges at 85 cents	12 75	
1 star	1 75	
		34 48
Pacific Telephone and Telegraph Company:		
Services for February, 1923	\$11 55	
	7 50	
		19 05
Bancroft Whitney Company:		
41 copies Roberts' Rules of Order at \$1.50	\$61 50	
41 Deering Calif. Codes and General Laws, at \$23.50	963 50	
		1,025 00
II. S. Crocker Company:		
Map of California	5 25	
Abstract binders	25 20	
Letter scale	3 90	
Book rings	21 60	
		55 95
Remington Typewriter Company:		
Rental 6 typewriters one month at \$4 per month each	24 00	
Rental 3 typewriters 1/2 month at \$4 per month each	9 00	
		33 00
Wholesale Typewriter Company:		
Rental 23 typewriters one month at \$4 per month each	92 00	
Rental 23 typewriters one month at \$4 per month each	92 00	
		184 00
Carithers Sign Company:		
Lettering on door No. 105 to read "Senate Committees, Elections, Motor Vehicles, Universities and Teachers Colleges"	5 10	
Black lettering on doors 94, 96, 98, 99, 100, 101, 102, 104, 107	16 73	
Lettering on metal box "Ralph L. Hughes"	1 00	
		22 83
Purnell Stationery Company:		
1 Webster's Dictionary	4 75	
Total		\$2,064 69

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300.00) for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

By Senator Breed:

Resolved, That the following named persons be, and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Miss Daisy Lacey, Stenographer

\$5.00 per diem

Paul Mason, File Clerk

7.00 per diem

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read out of the regular order:

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 162, entitled: An act to amend section 1561 of the Code of Civil Procedure relating to sale of property under direction or authority of testator:

Also: Senate Bill No. 189, entitled—An act to repeal Section 1527 of the Code of Civil Procedure, relating to probate sales of personal property:

Also: Senate Bill No. 539, entitled—An act to amend section 206 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State:

Also: Senate Bill No. 451, entitled—An act to amend sections 1205, 1206, 1214 and 1215 of the Penal Code, relative to imprisonment and fines:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership: 14; committee vote: Ayes—6; noes—0.

JONES, Chairman.

Senate Bills Nos. 162, 189, 539 and 451 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 645—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 649—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the presidential primary act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 68 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley irrigation districts under the provisions of an act of the legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and also, to provide for the distribution of water for irrigation purposes," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 89 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 112—An act to amend section 2192 of the Political Code, relating to the Sonoma Home for Feeble-Minded.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 112 passed by the following vote:

AYES—Senators Allen, At buckle, Boggs, Breed, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof.

COMMITTEE AMENDMENTS.

During the third reading of the bill, the following committee amendments were offered:

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During second reading of the bill, Senator Osborne moved to refer Senate Bill No. 121 to Senator Jones as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On line 3 of the printed bill, after the word "have" insert the word "heretofore"

AMENDMENT NUMBER TWO.

On line 4 of the printed bill, after the word "accumulated" insert the words "or may hereafter accumulate."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

Mr. President: Your Special Committee of One, to which was referred Senate Bill No. 121, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and on motion of Senator Osborne, adopted.

Bill ordered to print and reengrossment.

Senate Bill No. 5—An act to repeal section 12 of an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," approved May 31, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 5 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADDRESS TO SENATE.

Upon invitation of the President, Senator Slater addressed the Senate:

ADDRESS IN HONOR OF LUTHER BURBANK.

By Herbert W. Slater, Senator Eighth Senatorial District.

Once again I am privileged to call the attention of the Senate to the fact that this day, March 7th, by legislative enactment, is "Bied and Arbor Day," particularly so specified as a compliment to Luther Burbank, great man of California and of the world, whose birthday it is. Nothing could be more fitting than the setting apart of a day in Spring for the planting of trees and flowers to commemorate the great service Mr. Burbank has rendered mankind in the creation of so many new fruits, flowers, cereals, vegetables, trees and other forms of nature. In honoring him on this day we honor ourselves.

This is Mr. Burbank's seventy-fourth birthday and incidentally this year he attains his Golden Jubilee in his chosen work which has manifestly been of so much importance to the world. He is still at work. Recently he stated that in order to be a success a man must work, and in this connection he asserted that it is unwise to give a youth an easy berth at the outset of life, because in the after years he would lack the development mentally and physically which he would otherwise have attained if he had begun to work honestly and sincerely at the start.

Emissaries from different parts of the world are coming to Mr. Burbank's home in Santa Rosa this year to extend the felicitations of the nations benefited, such as we have been by many of his offerings, and to congratulate him upon the attainment of his fiftieth year as a creator and moulder of plant life. Surely this great and sincere man is worthy of grateful acknowledgement. He has added enriched color tint and perfume to many of the choicest blossoms. He has intensified and in many instances given richer flavor to our fruits. He has increased the yield of many now world famed cereals. He has produced and caused to tower aloft the majestic trees whose roots he first pressed into the soil. He has gone farther with nature in undreamed of ways until the world long since proclaimed him one of her foremost and most useful citizens.

His interest in little children and in the schools has caused him to be considered their benefactor and by his encouragement and kindness in many ways he has shaped the stately edifice of a soul which in the attainment of manhood and womanhood will mean the reaping of a golden reward in the full sense of citizenship.

I am sure that I voice the sentiment of the Senate of the State of California when I express the hope that Mr. Burbank will be spared for many more years to carry on the work that has been so eminently successful and so rich and perfect in result.

MOTION.

Senator Slater moved that the Senate telegraph congratulations to the Honorable Luther Burbank.

Senator Gates, E. J., seconded Senator Slater's motion.

Motion unanimously carried.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Thursday, March 8, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingrams, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 7, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following schools:

Harkness High School. Teachers—Elsie B. Meeks, Elizabeth O. Sun. Pupils—Alberta Martin, Inez Cecchettiini, Irma Carghar, B. Iva Hollenbeck, Thelma Dunn, Mary Beasley, Conley Miller, Morris Mouskin, Bronte Reynolds, Robert Fairbairn, Paul Stebbins, Wm. Schorn, Jack Spellbring, Peter Fea, Theodore Helmer, Chas. Kauffman, Jack Lovell, Ross Edwin, Paul Kuchman, Russell Braddock, Wilbur Bever, Daniel Yuke, Harold Fong, Charles Hawke, Swanston Krebs, Daniel Fong, Susumu Jinto, Robert Misphey, Wm. Pugh, Edward Brent, Charles Narducci, Joseph Silva, Robert Smith, Clarence Johnson.

Sutter Union Branch High School, Pleasant Grove, California. Principal—R. O. Moss. Pupils—Winifred Compton, Evelyn Corliss, Oba Jopson, Elizabeth Coppin, Lela Corliss, Leroy Vannatta, George Slight, Jr., Woborn Okamoto, Charles Slight, Glen Morgan, Monroe Reese, Gordon R. Glenn, Samuel Gilliland.

PETITION.

The following petition was presented by Senator McDonald and ordered printed in the Journal:

We, the undersigned teachers do heartily endorse the Teachers' Retirement Salary Bill as proposed by the Teachers' Association of San Francisco. We earnestly urge the legislators to support the bill.

MAY WILSON, 845 Sutter St., San Francisco,
 VERA E. McMURRAY, Los Angeles,
 And 1297 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as case of urgency the following:

Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Assembly Bill No. 719 read first time, and referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 7, 1923, passed the following:

Assembly Bill No. 64—An act to amend section 1263a of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane:

Also: Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901:

Also: Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District:

Also: Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings of organization and organization of said district:

Also: Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District:

Also: Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 64 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 359 read first time, and referred to Committee on Education.

Assembly Bill No. 346 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 229 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 543 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 308 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Osborne to introduce a bill entitled An act to amend sections 7, 8a, and 8c, of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.—(OUT OF ORDER).

The following bill was introduced, out of the regular order:

By Senator Osborne: Senate Bill No. 681—An act to amend sections 7, 8a, and 8c of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

REPORT OF STANDING COMMITTEE.—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Allen to introduce a bill entitled—An act creating a commission for the revising, systematizing and reforming of the laws of this State, providing for the appointment of the members of said commission, prescribing the powers and duties of said commission, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.—(OUT OF ORDER).

The following bill was introduced, out of the regular order:

By Senator Allen: Senate Bill No. 682—An act creating a commission for the revising, systematizing and reforming of the laws of this

State, providing for the appointment of the members of said Commission, prescribing the powers and duties of said Commission, and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nelson to introduce a bill entitled An act to repeal an act entitled "An act to provide for the accomplishment of the work of constructing a breakwater in Monterey Bay, California, as recommended in the report of the Chief of Engineers, United States Army, and printed in a document of the United States House of Representatives, No. 1084, Sixty-first Congress, third session, calling for an expenditure of \$800,000 and making an appropriation for such work," approved March 15, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, out of the regular order:

By Senator Nelson: Senate Bill No. 683—An act to repeal an act entitled "An act to provide for the accomplishment of the work of constructing a breakwater in Monterey Bay, California, as recommended in the report of the chief of engineers, United States Army, and printed in a document of the United States House of Representatives, No. 1084, Sixty-first Congress, third session, calling for an expenditure of \$800,000 and making an appropriation for such work," approved March 15, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 121—An act relating to certain funds in the custody or control of the Superintendents of State Hospitals and providing for the allotment and apportionment thereof—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property;

Also: Senate Bill No. 645—An act to amend section 1272a of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer;

Also: Senate Bill No. 649—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases;
And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

RESOLUTIONS.

The following resolutions were offered:

By the Committee on Contingent Expenses:

Resolved, That Senator Ralph L. Hughes be and he is hereby allowed twenty-five dollars (\$25.00) for contingent expenses as provided by the constitution, payable out of the appropriation for the contingent expenses of the Senate.

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

By Senator Breed:

Resolved, That the following named person be and she is hereby appointed to the respective position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said respective amount, and the Treasurer is directed to pay the same:

Nellie B. Moore, Stenographer.....\$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

By Senator Powers:

WHEREAS, It has been observed by various members of the Senate that the American Flag, which in years past has always floated at the masthead of the Capitol building; and

WHEREAS, It is generally required that all public buildings display the flag, and it is particularly appropriate that the Capitol of the State of California should do so; now, therefore, be it

Resolved, That the attention of the superintendent of operation and maintenance of the Capitol building is hereby invited to this matter in order that he may have the American Flag unfurled from the flag pole on the Capitol building each and every day that the Forty-fifth Legislature is in session.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—14; committee vote: Ayes—13; noes—1.

JONES, Chairman.

Senate Bill No. 284 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents;

Also: Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits;

Also: Senate Bill No. 139—An act to establish Gold Discovery Day;

Also: Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; noes—none; absent—4.

JONES, Chairman.

Senate Bills Nos. 164, 165, 139 and 468, ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure to be numbered 2036a, relating to foreign depositions;

Also: Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure to be numbered 1900a, relating to uniform proof of statutes;

Also: Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure, relating to notices to relatives of persons under guardianship;

Also: Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

Committee membership—14; committee vote: Ayes—14; noes—none; absent—4.

JONES, Chairman.

Senate Bills Nos. 156, 157, 223, and 285 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; noes—2; absent—4.

JONES, Chairman.

Senate Bill No. 228 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—14; committee vote: Ayes—10; noes—1; absent—4.

JONES, Chairman.

Senate Bill No. 265 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 155—An act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and that it be re-referred to the Committee on Finance.

Committee membership—14; committee vote: Ayes—13; noes—none; absent—4.

JONES, Chairman.

Senate Bill No. 155 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered section 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—13; noes—1; absent—4.

JONES, Chairman.

Senate Bill No. 474 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—14; noes—none; absent—none.

JONES, Chairman.

Senate Bill No. 224 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Handy:

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit: "An act to add a new section to be numbered section 3a to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in state and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables, including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in state and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof, and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith, approved May 27, 1919," approved June 3, 1921."

Referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Osborne: Senate Bill No. 681—An act to amend sections 7, 8a, and 8c, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Allen: Senate Bill No. 682—An act creating a commission for the revising, systematizing and reforming of the laws of this State, providing for the appointment of the members of said commission, prescribing the powers and duties of said commission, and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nelson: Senate Bill No. 683—An act to repeal an act entitled "An act to provide for the accomplishment of the work of constructing a breakwater in Monterey Bay, California, as recommended in the report of the Chief of Engineers, United States Army, and printed in a document of the United States House of Representatives, No. 1084, Sixty-first Congress, Third Session, calling for an expenditure of \$800,000 and making an appropriation for such work," approved March 15, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

The following resolution was offered:

By Senator Breed: Senate Concurrent Resolution No. 15—Approving the charter of the city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923.

Resolution referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENT.

During the second reading of Senate Bill No. 507, the following amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, following the comma after "two", insert the words "two and one-half".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 213—An act to amend section 628*b* of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 334—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 463—An act to amend section 15½ of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended, relating to fish and game districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 67 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act.

Passed on file.

Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 121 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 181 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 645—An act to amend section 1272a of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 645 was passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 649—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 649 was passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 673 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Nelson, Osborne, Powers, Sample, Swing, and West—26.

NOES—Senators Allen, Crowley, Dennett, Gray, Hurley, McDonald, Murphy, Rominger, Sharkey, and Slater—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was re-referred Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737ccc, relating to the salaries of superior court judges:

Also: Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737cc, relating to the salaries of superior court judges:

Also: Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737dd, relating to the salaries of superior court judges:

Also: Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737d, relative to the salaries of the superior judges of Stanislaus County:

Also: Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation:

Also: Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737f, relating to salaries of superior court judges:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—11; noes—none; absent—5.

GATES, E. J., Chairman.

Senate Bills Nos. 599, 132, 66, 107, 3, and 42, ordered on file for second reading.

ADJOURNMENT.

At twelve o'clock noon, on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, March 9, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Donnett, Eden, Gates, Dr., E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 8, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF THE FLOOR.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Senator and Mrs. Merrick of Pennsylvania.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game—and reports that the same has been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 213—An act to amend section 628*b* of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 334—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 463—An act to amend section 154 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts;

Also: Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator;

Also: Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property;

Also: Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State;

Also: Senate Bill No. 451—An act to amend sections 1205, 1206, 1214 and 1215 of the Penal Code, relative to imprisonment and fines; And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

ASSISTANT SECRETARY G. MELVIN WARREN AT DESK.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California, voted for and ratified by the qualified electors of said Butte County at the general election held therein on the seventh day of November, 1922—and reports that the same has been correctly enrolled; and presented the same to the Governor on this ninth day of March, 1923, at 10 o'clock a.m.

HANDY, Vice Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; noes—none; absent—2.

SLATER, Chairman.

Senate Bill No. 108 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 553—An act to amend section 1142*a* of the Political Code, relating to election laws;

Also: Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257*a*, relating to the duties of election officers;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—9; noes—none; absent—2.

SLATER, Chairman.

Senate Bills Nos. 553 and 554 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; noes—none; absent—2.

CROWLEY, Chairman.

Senate Bill No. 82 ordered on file for second reading.

ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: Your Committee on Manufactures, to which was referred Senate Bill No. 447—An act creating the Peninsula Development District, conferring certain powers thereon and providing for the exercise thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—5; committee vote: Ayes—3; noes—none; absent—2.

GODSIL, Chairman.

Senate Bill No. 447 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23a, relating to fees on permits, and 23b, relating to payment of fees into the State Treasury and providing for exemption from fees;

Also: Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to compensation of water masters;

Also: Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1a, relating to hearings upon applications for a permit to appropriate water, and 1b, relating to actions for review and to priority of right;

Also: Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—7; committee vote: Ayes—5; noes—none; absent—2.

DENNETT, Chairman.

Senate Bills Nos. 485, 487, 495 and 496 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; noes—none; absent—1.

SWING, Chairman.

Senate Bill No. 480 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 428—An act to provide for probation officers in counties of the eighth

class, and fixing their salaries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; noes—none; absent—1.

SWING, Chairman.

Senate Bill No. 428 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

CARR, Chairman.

Senate Bill No. 122 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds;

Also: Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education;

Also: Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362f, relating to the powers of the State Department of Education;

Also: Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773 and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777 and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State;

Also: Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended;

Also: Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

HARRIS, Chairman.

Senate Bills Nos. 443, 131, 444, 445, 446, 354 and 318 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 574—An act appropriating money for the construction and equipment of buildings for the California School for the Blind at Berkeley, California;

Also: Senate Bill No. 575—An act appropriating money for the construction and equipment of a hospital building for the California Schools for the Deaf and the Blind at Berkeley, California;

Also: Senate Bill No. 576—An act appropriating money for improvements at the California Schools for the Deaf and the Blind at Berkeley, California;

Also: Senate Bill No. 578—An act appropriating money for the construction and equipment of a kindergarten and entering building for the California School for the Deaf at Berkeley, California;

Also: Senate Bill No. 579—An act appropriating money for the construction and equipment of a residence for the business manager of the California Schools for the Deaf and the Blind at Berkeley, California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—8; absent—7.

HARRIS, Chairman.

Senate Bills Nos. 574, 575, 576, 578, 579 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the the uses of said funds," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

HARRIS, Chairman.

Senate Bill No. 127 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Handy to introduce a bill entitled "An act to add a new section to be numbered section 3a to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith, approved May 27, 1919," approved June 3, 1921"—has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5; noes—none.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canena, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Handy: Senate Bill No. 684—An act to add a new section, to be numbered section 3a to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions

hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919." approved June 3, 1921.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nelson to introduce a bill entitled—An act to amend an act entitled "An act to prevent the formation and prohibit the existence of secret, oathbound fraternities in public schools," approved March 13, 1909, by amending sections 1 and 2 of said act—is returned without taking same under consideration, because of Senator Nelson's request that no action be taken by this committee, and that he be permitted to withdraw his request to introduce said bill.

Committee membership—5; committee vote: Ayes—5; noes—none.

BREED, Chairman.

Senator Breed moved that the request of Senator Nelson be granted and that he be permitted to withdraw his request to introduce the bill reported from the Committee on Rules this day.

Motion carried.

SECRETARY JOSEPH A. BEEK AT THE DESK.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be, and he is hereby, appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount and the Treasurer is directed to pay the same:

C. Olivier, Assistant Sergeant-at-Arms----- \$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

By Senator Inman:

WHEREAS, It has been reported that certain data, covering State expenditures, has been prepared by Gilbert Daniels, of the State Board of Control; and

WHEREAS, In the consideration of the budget all possible sources of information should be resorted to; therefore, be it

Resolved by the Senate, That 500 copies of this data be printed for the use of the Legislature, to be paid for out of the contingent fund of the Senate, and that said data be sent to the State Printer under a rush order.

Senator Inman moved the adoption of the resolution.

Senator Gates seconded Senator Inman's motion.

The question being on the adoption of the resolution.

REQUEST FOR ROLL CALL.

Roll call was demanded by the following Senators: Inman, Gates, E. J., and Harris.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and Swing—28.

NOES—Senators Burnett, Chamberlin, Gates, Dr., Hurley, Johnson, A. B., Rominger, Sample, and West—8.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Hart: Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government.

Senate Joint Resolution No. 11 referred to Committee on Federal Relations.

By Senator West: Senate Joint Resolution No. 12—Relative to the employment of war veterans at the Soldiers' Homes at Sawtelle and at Yountville.

Senate Joint Resolution No. 12 referred to Committee on Federal Relations.

By Senator Allen: Senate Constitutional Amendment No. 26—Relative to the recall of public officers.

Senate Constitutional Amendment No. 26 referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 139—An act to establish Gold Discovery Day.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure, relating to notices to relatives of persons under guardianship.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 7, strike out the word "false".

AMENDMENT NUMBER TWO.

On line 7, after the word "information", insert the words "knowing it to be false".

AMENDMENT NUMBER THREE.

On line 10, after the word "libelous", insert the words "or slanderous".

AMENDMENT NUMBER FOUR.

On line 11, insert a period in place of a comma after the word "misdemeanor", and strike out all of lines 12, 13, 14 and 15.

Amendments adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 7, strike out the word "largely" and insert in lieu thereof the word "primarily".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737ccc, relating to the salaries of superior court judges.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "is" insert the following: "six thousand".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737*cc*, relating to the salaries of superior court judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036*a*, relating to foreign depositions.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Line 4, after 2036*a*, insert in caps "Foreign Depositions".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Line 4, after 1900*a*, insert in caps "Proof of Statutes."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 124 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, M. B., Lewis, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

Senate Bill No. 507 passed on file.

Senate Bill No. 213—An act to amend section 628*b*, of the Penal Code, relating to the protection of fish.

Bill read third time, and passed on file.

Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

Senate Bill No. 302 passed on file.

Senate Bill No. 334—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 334 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 463—An act to amend section 15½ of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 463 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 162 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 189 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 539 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Osborne, Rominger, Rush, Sample, Slater, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 451—An act to amend sections 1205, 1206, 1214 and 1215 of the Penal Code, relative to imprisonment and fines.

Senate Bill No. 451 passed on file.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 8, 1923, passed the following:

Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens;

Also: Assembly Bill No. 221—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 75 referred to Committee on Judiciary.

Assembly Bill No. 221 referred to Committee on Municipal Corporations.

SENATOR A. H. BREED IN THE CHAIR.

At twelve o'clock and forty minutes p. m., Senator Breed, President pro tempore of the Senate, was called to the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, the following:

Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for the seventy-third and seventy-fourth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.
By J. E. POWERS, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-NINE—(OUT OF ORDER).

Senator Gates, E. J., moved that Assembly Bill No. 1259 be taken up without reference to committee.

CASE OF URGENCY.

By Senator Gates:

Resolved, That Assembly Bill No. 1259 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and section 15 of article IV of the constitution suspended by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Nelson, Rominger, Rush, Slater, Swing, and West—29.

NOES—None.

Whereupon the President declared the provisions of section 15, article IV, of the constitution suspended for the purpose of considering at this time Assembly Bill No. 1259.

Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for the seventy-third and seventy-fourth fiscal years.

Bill read second time.

Bill read third time.

Section 2 setting forth the urgency clause read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Nelson, Powers, Rominger, Rush, Slater, Swing, and West—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1259 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—32.

NOES—None.

Assembly Bill No. 1259 ordered transmitted to the Assembly.

ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Senator Gates, E. J., the President pro tempore declared the Senate adjourned until Monday, March 12, 1923.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, March 12, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 9, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Carr was, on motion of Senator Canepa, granted leave of absence for this day.

Senator Rominger was, on motion of Senator Chamberlin, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Muriel Robinson, Margaret Mulcare, and Lucille Murphy of San Francisco.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Abbie Ford, Stenographer	\$5 00 per day.
James F. Lott, Assistant Engrossing and Enrolling Clerk	5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Buraeth, Canapa, Chamberlin, Creighton, Crowley, Gates, De, Godsil, Gray, Handy, Hart, Hughes, Hursey, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds, to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—6; committee vote: Ayes 5; absent 1.

HURLEY, Chairman.

Assembly Bill No. 719 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California:

Also: Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents;

Also: Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits;

Also: Senate Bill No. 139—An act to establish Gold Discovery Day;

Also: Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure, relating to notices to relatives of persons under guardianship;

Also: Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California;

Also: Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife;

Also: Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions;

Also: Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication;

Also: Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will;

Also: Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737*eee*, relating to the salaries of superior court judges;

Also: Senate Bill No. 172—An act to add a new section to the Political Code to be numbered 737*ee*, relating to the salaries of superior court judges;

Also: Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges;

Also: Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County;

Also: Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation;

Also: Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges;

Also: Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure to be numbered 2036*a*, relating to foreign depositions;

Also: Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure to be numbered 1900*a*, relating to uniform proof of statutes;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was introduced:

By Senator Swing: Senate Concurrent Resolution No. 16—Relative to approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922.

Senate Concurrent Resolution No. 16 referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 553—An act to amend section 1142*a* of the Political Code, relating to election laws.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the period insert the following sentence: "Included in this digest must be contained the instructions to election officers provided for in sections one thousand two hundred fifty-two, one thousand two hundred fifty seven *a*, and one thousand two hundred fifty-eight of this code".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, omit the word "by" and insert in lieu thereof the word "to."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 21, 22, 23 and 24, of the printed bill, omit everything after the period in line 21.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257*a*, relating to the duties of election officers.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4, 5, 6 and 7, of the printed bill, omit everything following the word "officers" in line 4 to and including the word "officers" in line 7, and insert in lieu thereof the following: "shall not constitute themselves into separate squads in an attempt to conduct more than one count of the ballots at the same time; nor shall such election officers".

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 17 of the printed bill, before the word "of", insert the words "and one thousand two hundred fifty-eight."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 447—An act creating the Peninsula Development District, conferring certain powers thereon and providing for the exercise thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, insert after the word "district" the following: "Comprising the city and county of San Francisco and a portion of San Mateo County,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. It is hereby recognized by the legislature of the State of California that there exists along the southwesterly side of San Francisco bay, within the limits of the city and county of Francisco and the county of San Mateo, a large area of marsh, swamp, overflowed and submerged tide lands that serve but little useful purpose; that, were the same to be reclaimed, such area would be made available and adaptable as sites for manufacturing and other industrial purposes, for railway lines and terminals and that, by the improvement of the water front contiguous to such

For the purpose of providing money necessary to meet such estimated expenditures said board of directors may impose and levy a tax upon all the taxable property within the district as the same appears upon the assessment rolls of the counties wholly or partly within said district. Such tax shall not exceed fifteen cents upon each one hundred dollars of such assessed value. A notice of its intention to levy said tax, on a day and place to be stated in such notice, shall be published in a daily newspaper published in the district at least ten days prior to such designated day and at such time and place any person shall have the right to make objections and be heard in respect to such proposed tax.

A certified copy of the resolution or order imposing such tax shall be transmitted to the auditors of the counties herein named, and upon receipt thereof it shall be the duty of said auditors to compute such tax and enter the amount thereof upon the assessment rolls against each parcel of land and property as the same appears thereon. The tax collectors of said counties shall collect said tax at the time and manner required by law for the collection of the first installment of other taxes and subject to the same penalties for non-payment and conditions for the sale thereof for delinquencies. Upon the collection of said tax, the tax collector shall deposit the same with the treasurer or depository of the district. The cost of computing and collecting such tax shall be a charge upon the district.

In the event of property being located partly within and partly without the district and the valuation thereof is in one sum, the assessor shall furnish to the auditor an apportionment of such sum, with the valuation separately stated and applicable to the respective portions within and without the district. The auditor shall compute the tax only upon the valuation of the property within the district.

SEC. 7. Whenever it is necessary to meet the cost of any project or improvement which will require a greater sum than that which is to be realized from the annual tax the board of directors may issue certificates of indebtedness, payable out of the revenues of succeeding years. Such certificates shall not bear interest in excess of six per cent per annum. The amount of such certificates payable out of any year's revenue, shall not be in excess of two thirds of the estimated revenue of such year to result from the maximum tax authorized in section six hereof, and no such certificates shall be issued for a term longer than five years. Upon the collection of each year's tax a sum sufficient shall be set aside expressly for the payment of any outstanding certificate that will become due during the year for which the tax was levied, together with interest on all certificates outstanding. In no year shall a tax be levied that shall be less than that which will be required to pay any outstanding certificates, together with interest thereon to become due during the next succeeding year.

SEC. 8. Whenever any public improvement is to be made which will result in a special benefit to land in private ownership, the whole or a part of the cost thereof may be assessed upon the land so to be benefited in manner following:

Prior to the commencement of the work of improvement the board of directors shall publish a notice of its intention to make the same, giving a general description of its character, a description of the district or districts which will be benefited thereby and which are liable to be assessed for the whole or a part of the cost thereof and a statement of the sum to be assessed upon such land within the district or districts by reason of such improvement. The resolution shall also fix a time and place when and where any person may appear and be heard in respect to any objection which he may have to any recital in such resolution. Such resolution shall be published five times in a daily newspaper published in the district and the date of hearing shall not be less than ten days from the completion of such publication. The directors shall attend at such hearing and consider all objections offered. At the conclusion thereof such objections may be sustained in whole or in part or may be denied. The resolution may be modified as to any recital therein contained, but no enlargement shall be made of the district to be benefited nor of the sum proposed to be assessed. At the conclusion of the hearing the board of directors may proceed to do the work of improvement, or declare that the same shall be done.

At any time thereafter the board of directors may cause a report to be made and filed showing the extent of the district or districts to be benefited by the improvement and the various subdivisions thereof and making an apportionment and proposed assessment of the sum theretofore determined to be the amount to be assessed, or so much thereof as may be deemed necessary or expedient, to such several subdivisions according to the benefits to accrue by reason of such improvement.

Notice of the filing of such report shall be published for five days in a daily newspaper published in the district and such notice shall fix a time and place when and where any interested person may appear and be heard in respect to any objection which he may have to the imposition of an assessment to the amount apportioned to the several subdivisions of land as shown by said report. The time fixed for such hearing shall not be less than ten days from the completion of the publication herein required.

At such hearing, which may be continued from time to time, the board of directors shall hear all objections and may confirm said report or may modify and confirm the same as modified, but no increase of any proposed assessment shall be made. The confirmation of such report shall be deemed to be the imposition of an assessment

upon the several subdivisions or parcels of land described therein and to the amount apportioned or assessed thereto as shall appear in said report.

The board of directors may determine that the assessments may be paid in annual installments, in which event interest shall be paid thereon at the rate of 6 per cent per annum from a date to be then fixed until the same are paid. An assessment list describing the several parcels or subdivisions, with the amount of the assessment imposed thereon and the annual interest charge thereon, if such interest charge there be, shall be filed with the auditor of the county wherein such land is situated, and the auditor shall enter the same upon the assessment roll for the year in which such assessment is payable, and the tax collector shall collect the same at the time of the collection of the first installment of county taxes and pay the same to the district treasurer or depository. Liens for assessments imposed as herein provided and to the amount thereof and interest thereon shall exist in favor of the district from the date of their imposition and shall continue until the same are fully paid. Such liens may be foreclosed in the event of nonpayment of the assessment or any installment thereof and the property liable thereof and the property liable therefor may be sold in a proceeding brought in the name of the district for that purpose. The board of directors may issue certificates of indebtedness against the assessment to the amount thereof and payable from the moneys collected therefor.

The owners of land within an assessment district or which may be benefited by the improvement may make agreements with the board of directors respecting of any assessment and its time and manner of payment and may waive a compliance with any provision herein contained, or may agree to contribute to the cost of any improvement in lieu of or in addition to an assessment.

When deemed expedient several assessments may be imposed in manner herein set forth, provided that the aggregate thereof shall not exceed the amount first determined.

In lieu of the procedure herein set forth for imposing an assessment to cover the cost of an improvement, the board of directors may adopt the provisions of the "Local Improvement Act of 1911," and the amendments thereto and the act known as the "Improvement Bond Act of 1915" and amendments thereto, but the requirements of the first named act respecting the posting of notices shall be dispensed with. The board of directors of the district may designate any officer, employer or person to perform any duty required to be performed under the provisions of said acts.

SEC. 9. All constructive work in excess of one thousand dollars shall be done by contract after advertisement and receipt of bids therefor. The bid most favorable to the district shall be accepted and the directors shall require such security for the performance of contracts and for the payment of labor and materials as they shall deem adequate. In the event that no bid for doing any public work shall be deemed satisfactory the board may, in its discretion, re-advertise for the same or may proceed to do the work in some manner other than by contract.

SEC. 10. Any director may be recalled at any general election and the laws in respect to recall of counties officers shall apply to the proceedings therefor, so far as the same are applicable, except that petitions for such recall shall be filed in each county comprising the district. No successor to the director sought to be recalled shall be voted for, and in the event of the recall of any director, the election board herein provided for shall be convened forthwith and his successor chosen for the unexpired term.

SEC. 11. If, within thirty days after the taking effect of this act there shall be filed with the board of directors of the district a petition asking that it be submitted to referendum vote of the electors of the district, which petition shall have been signed by five per cent of the registered voters of the district, it shall be the duty of the board of directors to order the same submitted at an election to be held on the sixth day of November, 1923, and it shall be the duty of officers having charge of elections in San Francisco to place the proposition on the ballot to be used at the municipal election on said day. Upon being notified of the fact that a referendum has been duly petitioned for, the board of supervisors of San Mateo county shall provide for an election in that portion of the county embraced in the district on said day mentioned. Special election precincts may be established for such election, but in other respects the conduct of such election shall be in accordance with the law providing for special elections within counties. The referendum petition shall conform to the general law respecting such petitions in counties. The votes cast shall be cast, counted, canvassed and the results determined as provided by law in such cases. The clerk of the board of supervisors in San Mateo county shall certify to the board of election commissioners of the city and county of San Francisco the result of the election in such county and said board shall add the total votes so certified as having been cast for and against the act to the total so cast in the city and county of San Francisco and shall certify the total votes for and against the act cast in both counties to the secretary of state. If a majority of the votes cast on the question are against the act then the same shall be without effect and all acts done pursuant to its provisions shall be null and void; otherwise said act shall remain in full force and effect.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23a, relating to fees on permits, and 23b, relating to payment of fees into the State Treasury and providing for exemption from fees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the word "canceled", and insert in lieu thereof the word "rejected".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 25, 26, 27, 28 and 29, and on page 2, lines 1, 2, 3, 4 and 5, and insert in lieu thereof the following:

"For each cubic foot per second or fractional cubic foot per second of direct diversion, from one cubic foot per second up to and including one thousand cubic feet per second, at the rate of one dollar per cubic foot per second.

For each cubic foot per second or fractional cubic foot per second of direct diversion, from one thousand cubic feet per second up to and including two thousand cubic feet per second, at the rate of twenty five cents per cubic foot per second.

For each cubic foot per second or fractional cubic foot per second of direct diversion over two thousand cubic feet per second, at the rate of ten cents per cubic foot per second."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, strike out the word "All", and insert in lieu thereof "Also, all."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, after the word "for" insert the word "the".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to compensation of water masters.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 3 of the title, after the word "compensation" insert the words "and travel expenses".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the word "water."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, strike out the word "April", and insert in lieu thereof the word "March".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, strike out the words "then current", and insert in lieu thereof the words "ensuing fiscal".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 37, of the printed bill, strike out the words "the current", and insert in lieu thereof the words "any fiscal."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 38, of the printed bill, strike out the last two words at the end of the line, and all of line 39, and insert in lieu thereof the words "during the ensuing fiscal year."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*a*, relating to hearings upon applications for a permit to appropriate water, and 1*b*, relating to actions for review and to priority right.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 4 of the title, after the words "one b" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the comma after the word "and", and all the remaining portion of said line, and lines 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, and insert in lieu thereof the following:

"To reject any application, after hearing; *provided, however,* that no hearing shall be necessary in order to issue a permit upon an unprotested application or in order to reject a defective application after notice as provided in section seventeen of this act, unless the state water commission elects to hold a hearing; *and provided,* further, that upon failure of any party in interest to appear at a hearing or show good cause within five days thereafter for said failure, final action may be taken by said commission without further hearing. In the conduct of hearings technical rules of evidence need not be applied. Notice of hearing shall be given by mailing notice not less than twenty days before the date of hearing."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed bill, strike out the words "or canceling", and insert in lieu thereof "and rejecting".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*c*, relating to acquisition of rights by

appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 4 after the words "Sec. 1c", and all of lines 5, 6, 7, 8, 9 and 10, and insert in lieu thereof the following:

"Sec. 1c. No right to appropriate or use water which is subject to the provisions of this act shall be initiated or acquired by any person, firm, association, or corporation except upon compliance with the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after the word "applicant", strike out the period and insert in lieu thereof a semi-colon, and the following words: "and all fees due must be paid; but this enumeration of prerequisites shall not be interpreted to exclude other matters, if any, made by this act prerequisite to the issuance of a permit."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities in the sixth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, after line 47, insert the following:

"Sec. 2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

Amendment adopted.

AMENDMENT FROM THE FLOOR.

During second reading of the bill, the following amendment was offered from the floor and its adoption moved by Senator Hurley.

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, strike out the words "squares and parks", and on page 1, line 24, of the printed bill, strike out the words, "and place within

the city or town", and on page 1, line 21, of the printed bill, following the semi-colon, insert the following: "To acquire by purchase or otherwise lands for squares, parks, play grounds and places within the city or town, and to improve, equip and maintain the same."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532*a*, relating to the apportionment of State school funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362*f*, relating to the powers of the State Department of Education.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6, line 8, strike out the word "or" after the word "day" and insert a comma; after the word "evening" insert the words "or state".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 6, strike out the word "and" after the word "day" and insert a comma; after the word "evening" insert the words "or state".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

Senate Bill No. 507 re-referred to Committee on Fish and Game.

Senate Bill No. 213—An act to amend section 628*b* of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 213 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

In the absence of the author, Senate Bill No. 302 was passed on file.

Senate Bill No. 451—An act to amend sections 1205, 1206, 1214 and 1215 of the Penal Code, relative to imprisonment and fines.

In the absence of the author, Senate Bill No. 451 was passed on file.

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

In the absence of the author, Senate Bill No. 284 was passed on file.

Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents.

In the absence of the author, Senate Bill No. 164 was passed on file.

Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

In the absence of the author, Senate Bill No. 165 was passed on file.

Senate Bill No. 139—An act to establish Gold Discovery Day.

In the absence of the author, Senate Bill No. 139 was passed on file.

Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

In the absence of the author, Senate Bill No. 468 was passed on file.

Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure, relating to notices to relatives of persons under guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 223 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Iuman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California.

In the absence of the author, Senate Bill No. 285 was passed on file.

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

In the absence of the author, Senate Bill No. 228 was passed on file.

Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions.

In the absence of the author, Senate Bill No. 265 was passed on file.

Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 474 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Iuman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 224 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Iuman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737*eee*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 599 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737*cc*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 132 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 66 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County.

Passed on file.

Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Passed on file.

Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges. Passed on file.

Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036*a*, relating to foreign depositions.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Senate Bill No. 156 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "Foreign depositions."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 156, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Lyon, adopted.
Bill ordered to print and re-engrossment.

Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Senate Bill No. 157 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "proof of statutes".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 157, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Lyon adopted.
Bill ordered to print and re-engrossment.

CASE OF URGENCY.

By Senator Hurley:

Resolved, That Assembly Bill No. 719 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and section 15 of article IV of the constitution suspended by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Whereupon the President declared the provisions of section 15 article IV, of the constitution suspended for the purpose of considering at this time Assembly Bill No. 719.

Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919.

Bill read second time.

Bill read third time.

Section 2 setting forth the urgency clause read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

The question being the passage of the bill.

The roll was called, and Assembly Bill No. 719 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Assembly Bill No. 719 ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL NUMBER THREE—(OUT OF ORDER).

Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 3 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 246. An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By J. E. POWERS, Assistant Clerk.

Assembly Bill No. 246 referred to Committee on Governmental Efficiency.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, March 13, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 12, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF THE SENATE EXTENDED.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Geo. F. Becker of Santa Barbara.

On request of Senator Hurley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. W. H. Christie of Emeryville.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Dennett:

MODESTO CLEARING HOUSE ASSOCIATION.
MODESTO, CALIFORNIA, March 10, 1923.

At a meeting of the Modesto Clearing House Association the following resolution was adopted:

Resolved, That the Modesto Clearing House Association commend Governor Richardson in his efforts to reduce the burdens of taxation in this State, and further that he should be supported in his efforts to eliminate unnecessary State commissions and employees of the State government to the end that the taxes of the people of the State be materially reduced, and be it further

Resolved, That copies of this resolution be forwarded to Governor Richardson, Senator L. L. Dennett, Assemblywoman Esto Broughton and the Stanislaus County Bankers' Association.

Respectfully submitted.

MODESTO CLEARING HOUSE ASSOCIATION.

THE MODESTO BANK.

By W. W. GIDDINGS, Vice President.

BANK OF ITALY.

By O. F. WENTE, Manager.

THE AMERICAN BANK.

By F. W. HOSMER.

THE FIRST NATIONAL BANK.

By G. R. STODDARD, President.

SACRAMENTO-SAN JOAQUIN BANK.

By T. H. KEWIN, Vice President.

By Senator McDonald:

We favor the new Pension Law as presented by the San Francisco Teachers' Association, and endorsed by the Legislative Committee of the California Teachers' Association—Senate Bill 127.

CLARA M. PAINTER.

And 1000 others.

By Senator Gray:

*To the President and Members of the
Senate of the State of California,
State Capitol, Sacramento, California.*

GENTLEMEN: We, the undersigned, do hereby lend our hearty support to petition submitted your honorable body as "An act to amend section 628a of the Penal Code, relating to the protection of fish and game," whereby netting or seining of striped bass in the creeks, rivers, bays and waters of the State of California will be prohibited for a period of six years, commencing on the first day of August, 1923, and ending on the first day of August, 1929.

In the event the bill is passed, we support the strict enforcement of the law, and for violations, more severe penalties than the bill contemplates.

R. B. LEECH.

And 2006 others.

By Senator Slater:

WHEREAS, It is a matter of common knowledge to those charged with the administration of highway affairs, both State and county, as well as by those who use the highways, that pavements are damaged from motor truck operation where excessive loads are carried; and

WHEREAS, This damage to the State and county highways, due to the excessive loads carried at extreme speeds is, by reason of such loads and speeds, far greater than the economics of that form of transportation will justify; and

WHEREAS, The engineers of the California Highway Commission, both past and present, supported by able, competent, independent and unbiased engineers of the two State automobile associations, recommend that motor trucks be limited to a gross weight of 22,000 pounds, in order to prevent further excessive damage and to protect the inadequate and comparatively thin State and county highways that now exist; therefore be it

Resolved, By the Board of Directors of the Santa Rosa Chamber of Commerce at its regular meeting of Tuesday, March 6, 1923, that we urge the California Legislature, now in session at Sacramento, to pass such legislation as will adequately protect our State and county highways from such excessive damages, by rigidly limiting motor trucks to 22,000 pounds gross weight and to reasonable rates of speed in truck operation; and be it further

Resolved, That a copy of these resolutions be sent to the Governor of the State of California, to the California Legislature now in session at Sacramento, to the California Highway Commission, to all the county boards of supervisors in the seven north of bay counties, and to all civic-commercial organizations and newspapers in the seven north of bay counties.

[SEAL]

SANTA ROSA CHAMBER OF COMMERCE.
FRANK P. DOYLE, President.

GOOD ROADS COMMITTEE.

FRANK J. McNAMARA, Chairman.
CHARLES O. DUNBAR.
RALPH A. BELDEN.
JAMES H. GRAY.
DAN H. LAFFERTY.

Attest: JAMES G. STAFFORD, Secretary.

Also:

WHEREAS, The depleted condition of the State Highway Fund threatens the continued construction, maintenance and reconstruction of State highways, as provided for in the bond issues of 1909, 1915 and 1919; and

WHEREAS, The investment already made of nearly \$73,000,000 in State highways is seriously endangered, because of a lack of adequate funds with which to maintain or reconstruct them, to prevent their total loss; and

WHEREAS, An equitable distribution of the costs of highway maintenance and reconstruction, should be based upon the relative use each motor vehicle makes of the highways of the State; therefore be it

Resolved, By the Board of Directors of the Santa Rosa Chamber of Commerce at its meeting of Tuesday, March 6, 1923, that we urge the California Legislature, now in session at Sacramento, to adopt suitable legislation for a fuel consumption tax of not less than two (2) cents per gallon used by each and every motor vehicle using the State highways; and that the fund so derived be used by the California Highway Commission for maintenance and reconstruction only; and be it further

Resolved, That a copy of this resolution be sent to the Governor of the State of California, to our representatives in the Senate and Assembly, the California Highway Commission, the county boards of supervisors of the seven north of bay counties and to all civic-commercial organizations and newspapers in the seven north of bay counties.

[SEAL]

SANTA ROSA CHAMBER OF COMMERCE.
FRANK P. DOYLE, President.

GOOD ROADS COMMITTEE.

FRANK J. McNAMARA, Chairman.
CHARLES O. DUNBAR.
RALPH A. BELDEN.
JAMES H. GRAY.
DAN H. LAFFERTY.

Attest: JAMES G. STAFFORD, Secretary.

By Senator Handy:

UKIAH, CALIFORNIA, February 15, 1923.

We, the committee appointed to take up the matter of the communication from the Grand Jury of Santa Clara County, with reference to the law pertaining to the possession of narcotics, and the penalty therefor, submit as follows:

WHEREAS, The present law and the penalty that can be imposed for violations of the law is inadequate and not in keeping with the magnitude of the crime; therefore, be it

Resolved, That this Grand Jury, being fully persuaded of the necessity of a change in the law to make the penalty of the violation commensurate with the crime, recommend that the representatives of Mendocino County in the law-making bodies of this State be requested to assist and cooperate in any and all legislation to the end that a law may be enacted that shall, in its operation and enforcement, reduce to the minimum the terrible effects of this menace to our State, particularly the youth of our State and nation.

A. A. LORD,
KATHERINE FOSTER.
W. L. BROWN.

F. F. HIBBERD,
F. F. BAILLACH.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 12, 1923, passed Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 66 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed—has had the same under consideration and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—8; absent—1.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 18 ordered to engrossment, and on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 23 of article VI, relating to the eligibility of judges for office—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 2 ordered to print, engrossment, and on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—9; committee vote: Ayes—6; noes—2; absent—1.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 6 ordered to print, engrossment, and on file.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. PRESIDENT: Your Committee on Banking, to which was referred the following:

Senate Bill No. 105.—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 106.—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

HART, Chairman.

Senate Bills Nos. 105 and 106 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 631 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 517—An act to amend section 5 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 517 ordered on file for second reading.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the Senate:

George Ricketts, Assistant Sergeant-at-Arms.....\$5 00 per day

Resolution read, and on motion of Senator Breed adopted.

Also:

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

Ruby Brenner, Stenographer.....\$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented.

By Senator Chamberlin:

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit: An act to amend section 860 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 302—An act to amend section 626½ of the Penal Code, relating to the protection of game.

On motion of Senator Hart, Senate Bill No. 302 was passed on file.

Senate Bill No. 451—An act to amend sections 1205, 1206, 1214 and 1215 of the Penal Code, relative to imprisonment and fines.

On motion of Senator Dennett, Senate Bill No. 451 was passed on file.

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

On motion of Senator Carr, Senate Bill No. 284 was passed on file.

Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 164 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 165 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

In the absence of the author, Senate Bill No. 468 was passed on file.

Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California.

On motion of Senator Carr, Senate Bill No. 285 was passed on file.

Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—Swing—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 107—An act to add a new section to the Political Code, to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 107 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At eleven o'clock and thirty minutes a.m., on motion of Senator Breed the President declared the Senate at recess until the hour of eleven o'clock and forty minutes a.m.

RECONVENED.

At eleven o'clock and forty minutes a.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

REQUEST FOR LEAVE OF ABSENCE.

Senator Breed asked for and was granted unanimous consent to be absent for the balance of this legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED THIRTY-NINE—
(OUT OF ORDER).

Senate Bill No. 139—An act to establish Gold Discovery Day.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 139 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-EIGHT—
(OUT OF ORDER).

Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 468 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

On motion of Senator Jones, Senate Bill No. 228 was passed on file.

CONSIDERATION OF SENATE BILL NUMBER FORTY-TWO—(OUT OF ORDER).

Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737f, relating to salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 42 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Chamberlin to introduce a bill entitled—An act to amend section 860 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Chamberlin: Senate Bill No. 685—An act to amend section 860 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney.

Senate Bill No. 685 referred to Committee on Judiciary.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented by Senator Dennett.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district.

Request referred to Committee on Rules

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read out of the regular order.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10; absentees—3.

SHARKEY, Chairman.

Senate Bill No. 31 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—12; absent—4.

GATES, E. J., Chairman.

Senate Bill No. 94 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and redefinition of the boundaries of the counties of the State of California:

Also: Senate Bill No. 267—An act to add a new section to the Code of Civil Procedure, to be numbered 287a, relating in the taking of depositions where the conduct of an attorney is being investigated by a bar association or a committee thereof:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Senate Bills Nos. 315 and 267 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 264—An act to amend sections 378 and 439 of the Code of Civil Procedure, relating to counterclaims—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—11; noes—1; absent—2.

JONES, Chairman.

Senate Bill No. 266 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 264—An act to amend sections 378 and 439 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered, respectively, 379a, 379b, 379c and 391, relating to joinder of parties to civil actions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; noes—3; absent—2.

JONES, Chairman.

Senate Bill No. 264 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 153—An act to amend sections 20, 40, and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909:

Also: Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure to be numbered 561, relating to attachment of personal property pending administration:

Also: Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law:

Also: Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions;

Also: Senate Bill No. 271—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Senate Bills Nos. 153, 163, 269, 270 and 271 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—11; noes—1; absent—2.

JONES, Chairman.

Senate Bill No. 263 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Senate Bill No. 190 ordered on file for second reading.

USE OF SENATE CHAMBER GRANTED.

Senator Sharkey asked for and was granted unanimous consent for use of Senate Chamber on Monday evening, March 19, 1923, for hearing by Committee on Motor Vehicles.

ADJOURNMENT.

At twelve o'clock and ten minutes p.m., on motion of Senator Gates, E. J., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, March 14, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 13, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge James W. Willett of Iowa, Commander-in-Chief of the Grand Army of the Republic, and his aides-de-camp, Truman Reeves and E. L. Hawk; Mrs. Mary L. Basham, National President of Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, and National Inspector Grace Willard; Frank Shellhouse of Indianapolis, Commander-in-Chief of Sons of Veterans; Mrs. Lola Elliott, National President Daughters of Veterans, and Chief of Staff Maude Graham; Mrs. Minnie Groth, National President Sons of Veterans Auxiliary; Dr. S. W. Hopkins of Lodi, California, Commander of Department of California and Nevada, and his Assistant Adjutant General, G. W. Ficks; G. W. Mahler, Commander Summer Post, Sacramento; Margaret Cook, President Summer Relief Corps, Sacramento; Isabelle Holland, President Fair Oaks Relief Corps, Sacramento; B. Shelly Hawk, Past Senior Vice President of Relief Corps; Geraldine E. Frisbie, Past National Commander Woman's Relief Corps.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Eden:

SANTA ANA, CALIFORNIA, March 6, 1923.

The Board met in regular session. Present, Supervisors T. B. Talbert, Chairman, S. H. Finley, Wm. Schumacher, Leon O. Whitsell, George Jeffrey and the Clerk.

In re Senate Bill No. 503—

On motion of Supervisor Whitsell, duly seconded and carried, the following resolution was unanimously adopted:

WHEREAS, Senate Bill No. 503 would empower the City of Los Angeles to condemn to its own uses water and power rights now dedicated to the service of interior communities; and

WHEREAS, Said bill was introduced at the instance of the Attorneys for the Public Service Commission of the city of Los Angeles after the Federal Court of Appeals dismissed the condemnation suit of the city of Los Angeles against land and water rights of the Southern Sierras Power Company in Owens River gorge now in the service of the people of this county, and

WHEREAS, Enactment of this measure into law would make Los Angeles the autocratic dictator of the agricultural and industrial growth of the interior counties, by vesting in that city the right summarily to give, withhold or apportion to them the water and power on which they are now and must in the future be dependent, be it

Resolved, That we protest against the passage of this bill, and that a copy of this resolution be sent to the Senator and Assemblyman representing this district. State of California, County of Orange, ss.

I, J. M. Backs, County Clerk and ex-Officio Clerk of the Board of Supervisors, do hereby certify the foregoing to be a full, true and correct copy of the minute entry on record in my office.

Witness my hand and the seal of the Board of Supervisors, this seventh day of March, 1923.

J. M. BACKS.

County Clerk, and ex officio Clerk of the Board of Supervisors.
By GRACE KITTLE, Deputy.

Also:

BOARD OF TRUSTEES, City of Santa Ana.

Resolution adopted March 5, 1923, protesting against passage of Senate Bill No. 563:

Be it resolved, That we are opposed to the passage of Senate Bill No. 563, and that we urge our representatives from this district to use every effort to secure its defeat.

I hereby certify that the above and foregoing resolution was duly adopted and passed by the unanimous vote of the Board of Trustees of the City of Santa Ana, California, at a regular meeting thereof held on the fifth day of March, 1923.

E. L. VEGELY.

[SEAL]

Clerk of the City of Santa Ana, California.

By Senator McDonald:

THE TEACHERS' ASSOCIATION OF SAN FRANCISCO.

SAN FRANCISCO, February 1, 1923.

We, the undersigned teachers do heartily endorse the Teachers' Retirement Salary Bill as proposed by The Teachers' Association of San Francisco. We earnestly urge the legislators to support that bill.

A. P. WATERMAN.

And 121 others.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 13, 1923, passed the following:

Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence;

Also: Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system";

Also: Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 123 referred to Committee on Judiciary.

Assembly Bill No. 137 referred to Committee on Roads and Highways.

Assembly Bill No. 175 referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20a, providing for the alteration of the boundaries of drainage districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

RUSH, Chairman.

Assembly Bill No. 19 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers,

duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

Also: Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

RUSH, Chairman.

Senate Bills Nos. 349, 350 and 352 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

RUSH, Chairman.

Senate Bill No. 19 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities;

Also: Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

POWERS, Chairman.

Senate Bills Nos. 77 and 310 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—12; absent—1.

POWERS, Chairman.

Senate Bill No. 118 referred to Committee on Finance.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 12—Relative to the employment of war veterans at the

Soldiers' Homes at Sawtelle and at Yountville—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Senate Joint Resolution No. 12 ordered on file.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 601—An act making an appropriation for a new calf barn and addition to milking barn at the Preston School of Industry;

Also: Senate Bill No. 602—An act making an appropriation for the construction of a farm cottage on Riley ranch at the Preston School of Industry;

Also: Senate Bill No. 616—An act making an appropriation for completing the machine shop at the Preston School of Industry;

Also: Senate Bill No. 617—An act making an appropriation for the construction of garages at the Preston School of Industry;

Also: Senate Bill No. 622—An act making an appropriation for a detention and segregation unit at the Preston School of Industry;

Also: Senate Bill No. 648—An act making an appropriation for repairs and replacements at the Preston School of Industry;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Finance.

(Signed out)

ALLEN, Chairman.
McDONALD.
GRAY.
GODSIL.
SAMPLE.
RISH.
HART.

Senate Bills Nos. 601, 602, 616, 617, 622, and 648 re-referred to Committee on Finance.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 548—An act to amend section 637, relative to the protection of fish—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

INGRAM, Vice Chairman.

Senate Bill No. 548 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 412—An act to add a new section to the Penal Code, to be numbered 637k, relating to prohibiting fishing off of dams in California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

INGRAM, Vice Chairman.

Senate Bill No. 412 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Woman's Relief Corps Home of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—5; committee vote: Ayes—3; absent—2.

HUGHES, Chairman.

Senate Bill No. 11 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

McDONALD, Chairman.

ALLEN.
SLATER.
RUSH.
HURLEY.
OSBORNE.
CROWLEY.

Senate Bill No. 313 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036a, relating to foreign depositions;

Also: Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900a, relating to uniform proof of statutes; And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed—and reports the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

Also: Senate Bill No. 553—An act to amend section 1142a of the Political Code, relating to election laws;

Also: Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257a, relating to the duties of election officers;

Also: Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof;

Also: Senate Bill No. 447—An act creating the Peninsula Development District, comprising the city and county of San Francisco and a portion of San Mateo County, conferring certain powers thereon and providing for the exercise thereof;

Also: Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23a, relating to fees on permits, and 23b, relating to payment of fees into the State Treasury and providing for exemption from fees;

Also: Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to compensation and travel expenses of water masters;

Also: Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1a, relating to hearings upon applications for a permit to appropriate water, and 1b, relating to actions for review and to priority of right;

Also: Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water;

Also: Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class;

Also: Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries;

Also: Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds;

Also: Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education;

Also: Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362f, relating to the powers of the State Department of Education;

Also: Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State;

Also: Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended;

Also: Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code to be numbered chapter 11, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind;

Also: Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended: And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—5; absent—4.

JOHNSON, M. B., Chairman.

Senate Bill No. 197 re-referred to Committee on Finance.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 188—An act to authorize the State Board of Control to lease certain land belonging to the State of California, situate in the county of Los Angeles, and providing for the disposition of the moneys received under said leases—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

LYON, Chairman.

Senate Bill No. 188 ordered on file for second reading.

REPORT OF SPECIAL COMMITTEE.

The following report of Special Committee was received and read, and ordered printed in the Journal:

REPORT OF SPECIAL COMMITTEE ON NORWALK.

Your Committee appointed under Assembly Concurrent Resolution No. 6 to investigate the oil possibilities on the property occupied by the State Hospital at

Norwalk, and report back to the Assembly and Senate with recommendations, submit the following report for your consideration:

We find that such oil as may be under the surface of the property can be extracted by a proper location of wells, so as not to disturb or seriously limit the usefulness or growth of the institution, and that there is no necessity of moving the institution or of curtailing its normal growth.

We find that the development of oil in the immediate vicinity of the institution indicates that the State may by leasing for oil and gas derive a substantial cash bonus, and if oil is produced on the property, should obtain a considerable monthly income as long as oil in paying quantities may be produced therefrom.

It is the recommendation of the Committee that the Legislature pass a general law that will permit the Board of Control in conjunction with the Attorney General and the Surveyor General to lease any lands for the production of oil, gas and other hydrocarbons belonging to the State not included in the lease law now on the statute books. It is a further recommendation of the Committee in reference to the Norwalk property that a lease or leases be made by competitive bidding with one or more financially responsible individuals or companies doing business in California for the development of oil, gas and other hydrocarbons along such lines as will not interfere with the requisite activities and expansion of the Hospital, but that will nevertheless conserve to the State its oil and gas values underlying the property, and it is the judgment of the Committee that the best results to the State will be obtained in this instance by leasing the north half of the property or portions thereof at this time to one or more financially responsible individuals or companies on the basis of a cash bonus per acre, and a royalty on all oil, gas or other hydrocarbons produced and saved.

Assembly Members:

MERRIAM.
WELLER.
MORRIS.

Senate Members:

BREED.
GATES.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

WHEREAS, The members of the Legislature have been invited by the Regents of the University of California to visit the University on Friday, March 16, 1923, and

WHEREAS, Many members of both houses desire to accept such invitation and to visit the University of California at the time aforesaid; now, therefore, be it

Resolved by the Senate of the State of California. That the consent of the Senate be, and the same is hereby, granted to the Assembly of the State of California to adjourn the session thereof from such hour on Thursday, March 15, 1923, as may be determined by its members until the hour of 11 o'clock a.m. on Monday, March 19, 1923, such consent being given for the purpose of complying with the requirements of section 14 of article IV of the constitution of the State of California.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Also:

Resolved. That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

Minnie Menke, Assistant Engrossing and Enrolling Clerk—\$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 24, of the printed bill, strike out everything after the semi-colon following the word "grade" to the period in line 28, and insert the following: "and shall consist of grapes showing not in excess of ten (10) per cent by weight of decayed, moldy, crushed or otherwise defective berries; but not more than one-half of this ten per cent shall consist of dried or partially dried berries."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new section thereto to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the re-establishment and redefinition of the boundaries of the counties of the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 8, line 46, of printed bill, after the word "north" strike out the remainder of the line together with the whole of line 47.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 13 of the printed bill, strike out the whole of lines 51 and 52 and the whole of lines 1 to 10 inclusive of page 14 and insert in lieu thereof the following: "3921. Imperial. Beginning on the second standard parallel south of San Bernardino base and meridian, at the common corner of township nine south, range nine east and township nine south, range eight east, said corner being the northwest corner of Imperial county and the northeast corner of San Diego county; thence south on the range line between ranges eight east and nine east to the boundary line between the United States and Mexico; thence easterly following the boundary line between United States and Mexico as fixed by the treaty of Guadalupe Hidalgo to the junction of the Colorado river with the mouth of the Gila; thence up the Colorado river following the said boundary to its intersection with the line of the second standard parallel south of the San Bernardino meridian; thence westerly and following the said second standard parallel to the place of beginning."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 267—An act to add a new section to the Code of Civil Procedure, to be numbered 287*a*, relating to the taking of depositions where the conduct of an attorney is being investigated by a bar association or a committee thereof.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the word "fifty" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379*a*, 379*b*, 379*c*, and 391, relating to joinder of parties to civil actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 153—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 271—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease.

AMENDMENT FROM THE FLOOR.

During the second reading of the bill, the following committee amendment was offered from the floor, and its adoption moved by Senator Dennett:

AMENDMENT NUMBER ONE.

On page 3, line 37, strike out the word "bearing" and insert in lieu thereof the word "hearing".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 302 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senators Canepa, Godsil, McDonald, and Murphy—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 451—An act to amend sections 1205, 1206, 1214 and 1215 of the Penal Code, relative to imprisonment and fines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 451 refused passage by the following vote:

AYES—Senators Dennett, Harris, Inman, Johnson, M. B., Nelson, and Rush—6.

NOES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—28.

RECESS.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of twelve o'clock and five minutes p.m.

RECONVENED.

At twelve o'clock and five minutes p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

On motion of Senator Carr, Senate Bill No. 284 was passed on file.

Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California.

On motion of Senator Carr, Senate Bill No. 285 was passed on file.

Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036a, relating to foreign depositions.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 156 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900a, relating to uniform proof of statutes.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 157 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 553—An act to amend section 1142a of the Political Code, relating to election laws.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 553 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257*a*, relating to the duties of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 554 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

On motion of Senator Hurley, Senate Bill No. 82 was passed on file.

RE-REFERENCE OF SENATE BILL.

On motion of Senator Godsil, Senate Bill No. 447 was ordered re-referred to Committee on Manufactures.

Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State treasury and providing for exemption from fees.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Dennett moved to refer Senate Bill No. 485 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the amended printed bill, strike out the words "one thousand" and insert in lieu thereof the words "five hundred".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the amended printed bill, strike out the words "one thousand" and insert in lieu thereof the words "five hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 485, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Sharkey, adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to compensation of water masters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 487 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1a, relating to hearings upon applications for a permit to appropriate water, and 1b, relating to actions for review and to priority of right.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 495 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water.

On motion of Senator Creighton, Senate Bill No. 496 was passed on file.

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Murphy moved to refer Senate Bill No. 108 to Senator Slater as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 12, strike out the words "inspector or judge", and insert in lieu thereof the words "inspectors or judges".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 108, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and on motion of Senator Slater, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

On motion of Senator Jones, Senate Bill No. 228 was passed on file.

HOUR OF RECESS EXTENDED.

At one o'clock p.m., on motion of Senator Breed, the hour of recess was extended for fifteen minutes.

RE-REFERENCE OF SENATE BILL.

On motion of Senator McDonald, Senate Bill No. 127 was ordered re-referred to Committee on Finance.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 5—An act to repeal section 12 of an act entitled, "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, statutes of California of 1913, page 1429," approved May 31, 1917.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Chief Clerk.

Senate Bill No. 5 ordered to enrollment.

ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, March 15, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 14, 1923, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

The following petitions were presented by Senator Gates, E. J., and ordered printed in the Journal:

By Senator Allen:

LOS ANGELES, March 3, 1923.

Mr. Newton M. Allen,
333 Grandview.

DEAR MR. ALLEN: WHEREAS, The proposed budget would reduce the appropriation for the teachers college in spite of an enrollment of 200 per cent increase:

WHEREAS, This reduction will seriously impair the work of the elementary schools in California for a generation;

WHEREAS, The proposed budget would eliminate all State supervision of physical education, Americanization and home economics and curtail the distribution of texts and other important State functions; be it

Resolved, That the Governor and legislators revise this budget to make adequate provision for all these items commensurate with the growth of the school population and appropriate for public education the sum which the Department of Education can show to be needed to keep the schools up to their present first place among all states of the Union.

Respectfully,

MRS. H. A. UNGAR,
And 100 others.

By Senator McDonald:

We favor the new pension law as presented by the San Francisco Teachers' Association, and endorsed by the Legislative Committee of the California Teachers' Association—Senate Bill No. 127.

REDLANDS GRADE TEACHERS' ASSOCIATION.

FLOY LOPER, Secretary,
And 25 others.

COMMUNICATION.

The following communication was presented by Senator E. J. Gates:

OFFICE OF ATTORNEY GENERAL.

SAN FRANCISCO, March 12, 1923.

Hon. Egbert J. Gates,

Chairman, Finance Committee State Senate,
Sacramento, California.

DEAR SIR: I am in receipt of yours of the ninth inst., with which you enclose and ask a reply to a question of the Joint Committee of the Assembly and the Senate now considering the budget. The question submitted is as follows:

"Does Constitutional Amendment No. 12 passed by the people in the general election of November, 1922, either expressly or by inference direct or divert into the general fund of the State the funds, and revenues of the so-called self-supporting institutions, commissions, and boards for which special funds have been created by provision of the codes and statutes of the State?"

Directly answering your question, I am of the view that the constitutional amendment referred to in your resolution does not "either expressly or by inference direct or divert into the general fund of the State the funds, and revenues of the so-called self-supporting institutions, commissions, and boards for which special funds have been created" and the use of which is directed by existing law.

While the statement just made answers the question which you have submitted, my desire to be helpful in the understanding of this constitutional provision, the construction of which is not without difficulty, will perhaps justify additional statement.

The various commissions and boards to which you refer are undoubtedly State agencies and the moneys collected by them are moneys belonging to the State and subject to legislative disposition. If at the time of their collection existing law did not otherwise provide for their disposition, these moneys would find their way into the general fund of the State Treasury. In those instances where existing law provides for another disposition of the funds so collected, the provisions of such law will continue until changed by the Legislature. The constitutional amendment, without doubt, contemplates that the revenues of the State collected in this fashion, together with revenues derived from all other sources, will make up the total of revenue available for State purposes, and the expenditure of which, except where otherwise directed by existing law, is to be provided for by the budget bill. This will require that before the revenues collected by many, if not by all, of these boards and commissions can be paid into the general fund and made subject to disposition of the budget bill for general purposes, the existing law controlling the funds of such boards and commissions will have to be changed.

Very truly yours,

U. S. WEBB, Attorney General.

PRIVILEGE OF FLOOR OF THE SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to:

Fair Oaks School—Gladys M. Smythe, teacher. Eighth grade pupils: Alva Hendershot, James Thomas, Velda Barger, Catherine Pace, Iva Rice, Lena Kabe, Irene Wagner, Mildred Jones, Wilma Spangle, Thelma Bishop, Gladys Cooper, Grace Rice, Faith Fulton, Evelyn Zeis, Elizabeth Cooper, Ruth Standen, William Hunter, Albert Linn, Edwin Meader, Henry Chesson, Paul Wanz, Earl A. Linn, Joseph Buckle.

Carmichael School—Lora F. Moore, teacher. Eighth grade pupils: Gladys McKeown, Margaret Cowan, Wallace Broughton, Leslie Ellithorpe, Oliver Boyer, Weir Felters, Elbert Davis.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. Walter Thompson of Vallejo.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Charles O. Dunbar of Santa Rosa.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT.
SACRAMENTO, March 15, 1923.

To the Senate of the State of California.

Senate Bill No. 188, authorizing the State Board of Control to lease certain lands belonging to the State of California situated in the county of Los Angeles, is, in my opinion, an urgency measure and I therefore recommend its passage as an emergency bill.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—8; absent—6.

JONES, Chairman.

Senate Bill No. 34 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 488—An act to amend sections 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i, and 2322j of the Political Code, relating to agriculture—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 488 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 609—An act appropriating money for improvements to the streets and grounds at the State Teachers College of Fresno—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—7; absent—2.

WEST, Chairman.

Senate Bill No. 609 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 606—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno:

Also: Senate Bill No. 610—An act appropriating money for the construction and equipment of a cafeteria building for the State Teachers College of Fresno: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—6; noes—1; absent—2.

WEST, Chairman.

Senate Bills Nos. 606 and 610 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 372—An act to appropriate money for alteration and improvement of the library of San Diego State Teachers College:

Also: Senate Bill No. 374—An act to appropriate money for the purchase and installation of furniture in the junior high school unit of the San Diego State Teachers College;

Also: Senate Bill No. 516—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of Santa Barbara;

Also: Senate Bill No. 533—An act appropriating money for the construction and equipment of a main building for the State Teachers College of Santa Barbara;

Also: Senate Bill No. 546—An act appropriating money for improvements for the State Teachers College of Santa Barbara;

Also: Senate Bill No. 587—An act appropriating money for the support of the Scripps institution for biological research of the University of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—6; noes—1; absent—2.

WEST, Chairman.

Senate Bills Nos. 372, 374, 516, 533, 546 and 587 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 232—An act appropriating money for the purchase of additional land for the Humboldt State Teachers College;

Also: Senate Bill No. 233—An act appropriating money for improvements at the Humboldt State Teachers College;

Also: Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College;

Also: Senate Bill No. 365—An act appropriating money for the purchase of certain real property adjoining the premises of the State Teachers College at San Diego, California;

Also: Senate Bill No. 366—An act appropriating money for the paving of certain streets adjacent to the property of the State Teachers College at San Diego;

Also: Senate Bill No. 369—An act to appropriate money for the purchase and installation of permanent fixtures in laboratories of the San Diego State Teachers College;

Also: Senate Bill No. 370—An act to appropriate money for the repair and upkeep of the San Diego State Teachers College;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—6; noes—1; absent—2.

WEST, Chairman.

Senate Bills Nos. 232, 233, 234, 365, 366, 369 and 370 re-referred to Committee on Finance.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Senate Bills Nos. 462 and 14 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Senate Bill No. 309 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Senate Bill No. 435 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Senate Bill No. 308 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 15—Relative to approving the charter of the city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923:

Also: Senate Concurrent Resolution No. 16—Relative to approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922:

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Senate Concurrent Resolutions Nos. 15 and 16 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Senate Bill No. 211 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 169—An act to amend section 602 of the Political Code, relating to corporations sole—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

CHAMBERLIN, Chairman.

Senate Bill No. 169 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 526 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 274 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Dennett to introduce a bill entitled An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Harri, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—37.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Dennett: Senate Bill No. 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also all the acts and proceedings of said district.

Senate Bill No. 686 referred to Committee on Drainage, Swamp and Overflowed Lands.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred request of Senator Creighton to introduce a bill entitled—An act to add a new section to the Political Code, to be numbered 73Sec, relating to the salaries of superior judges—has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Haudy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—35.
 NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Creighton: Senate Bill No. 687—An act to add a new section to the Political Code to be numbered 738*c*, relating to the salaries of superior judges.

Senate Bill No. 687 referred to Committee on Finance.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Arbuckle to introduce a bill entitled—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report of the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Haudy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, and Swing—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Arbuckle: Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts

in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

Senate Bill No. 688 referred to Committee on Oil Industries.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 5—An act to amend section 12 of an act entitled, "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, statutes of California of 1913, page 1429," approved May 31, 1917—and reports that the same has been correctly enrolled, and presented the same to the Governor on this 15th day of March, 1923, at 11 o'clock a.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 517—An act to amend section 5 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended;

Also: Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof;

Also: Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court;

Also: Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the re-establishment and redefinition of the boundaries of the counties of the State of California;

Also: Senate Bill No. 267—An act to add a new section to the Code of Civil Procedure, to be numbered 287a, relating to the taking of depositions where the conduct of an attorney is being investigated by a bar association or a committee thereof;

Also: Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims:

Also: Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379a, 379b, 379c and 391, relating to joinder of parties to civil actions:

Also: Senate Bill No. 153—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909:

Also: Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration:

Also: Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said Code to be numbered 301, relating to admission to the practice of law:

Also: Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions:

Also: Senate Bill No. 271—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges:

Also: Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys:

Also: Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease: And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers:

Also: Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23a, relating to fees on permits, and 23b, relating to payment of fees into the State Treasury and providing for exemption from fees:

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

RESOLUTION.

The following resolution was offered:

By Senators McDonald, Godsil, Gray, Murphy and Crowley:

WHEREAS, All Americans agree that the main end of all of our educational endeavor is to produce good Americans rooted and founded on the basic doctrines of Americanism as formulated in the Declaration of Independence, as organized in our national constitution and as achieved in our national history; and,

WHEREAS, The University of California is the capstone of our system of educational endeavor in this State; and,

WHEREAS, That University should be the tower of strength in the cause of Americanism and a lamp to the feet of our young men and women on the paths of true patriotism; and,

WHEREAS, William S. Sims has shown by deed and by word a disrespect for the traditions of this republic and disloyalty to its purposes and has ridiculed the efforts of its executives and its soldiers and its sailors in the late world conflict; and,

WHEREAS, One President of the United States, United States Senators, members of Congress, editors of newspapers and two secretaries of the Navy Department have been called upon to rebuke his intemperate aspersions upon American naval and military prowess as indicated by the following:

From San Francisco Examiner, June 9, 1921:

"Sims Publicly Rebuked by Taft Administration.

"Washington, June 8. Navy Dept. records reveal that Commander (now Rear Admiral) William S. Sims was publicly reprimanded eleven years ago for a pro-British speech at Guild Hall, London."

The offending portion of Sims' speech, President Taft's demand for a reprimand, and the reprimand itself, as set forth in the navy records follows:

Sims' speech: 'If the time ever comes when the British Empire is seriously menaced by an external enemy, it is my opinion that you may count upon every man, every dollar, every drop of blood of your kindred across the sea.'

"President Taft's letter: 'Commander Sims can not escape censure on the ground that what he said was a mere expression of his personal opinion. Under the circumstances he must speak as an official representative,

For these reasons I direct that a public reprimand be given Commander Sims."

"Secretary von Meyer's order: 'A public reprimand is hereby administered to Commander W. S. Sims, U. S. Navy, and will be entered upon his official record. The gravity of the offense is so clearly set forth in the above quoted communication from the President that no additional remarks appear necessary to indicate to the naval service the lack of tact and knowledge of the plain duty of an officer of the navy exhibited by Commander Sims upon the occasion mentioned and to prevent a repetition of such a regrettable occurrence.'"

From San Francisco Examiner, January 27, 1920:

"Rear Admiral Denounced as Pro-British.

"Democratic Congressman Demands Sims Be Ousted for Revealing Secrets of Navy.

"Bitterly Excoriated As 'Hero of Drawing Room' and Victim of Pure Anglomaniac.

"Washington, Jan. 27 (By Universal Service). In making public the admonition, 'Don't let the British pull the wool over your eyes,' Rear Admiral William S. Sims, violated confidential instructions and should be dishonorably discharged. Representative James E. Byrnes, Democrat of South Carolina, declared in a speech in the House today.

"Byrnes denounced the former commander of the American naval activities in European waters in the most bitter terms."

From San Francisco Examiner, January 24, 1920:

The following is from the pen of James Connolly, who spent eight months in the naval forces abroad in the World War, and whose comments on Admiral Sims are based on personal observation:

"Noted Author, with Fleet in War, Says Admiral More British Than Britons.

"James M. Connolly says Sims is attempting to make Secretary Daniels ridiculous in British Eyes; American Officer was Completely Under Dominance of English Admiralty. He Charges.

"Boston, Jan. 24th—Our navy, according to Admiral Sims was something of a slacker during the war. Too bad, of course, and yet, as a British born, shouldn't Sims be more grateful. Only for that slacker navy of ours there would be no British empire today and with no British empire and its dire needs there would be no Sims.

"Sims is a natural development.

"First, he is colonial born and colonials of English descent will fight for empire and royalty long after such things have become a joke in the old country.

"Secondly, he is a politician, and thirdly, he is a publicity man—publicity for Sims. He is an admiral today, one of what they call the indoor admirals; yes, but is the other three that are and have been the working influences with him.

"It was at a banquet in London in 1910 that Sims arose and said that he a captain in the United States Navy could assure all present that in the event of that war which could not be much longer postponed, England's great backer would be the United States. They need have no fear when the time comes, America's last man, last dollar, last pound of steel, would be at England's call.

"Sims was disloyal to Secretary Daniels in war time, and he is disloyal to him now. His Admiralty Headquarters in London were rotten with the backcapping of Daniels."

Under the heading "March of Events" June 17, 1921, the following is an excerpt of editorial, San Francisco Examiner:

"In the British House of Commons last Thursday, Admiral Sims was the recipient of a tremendous ovation. Members cheered themselves hoarse, while the Chancellor of the Exchequer, Austen Chamberlain, welcomed Sims and declared him to be 'the first and foremost citizen and patriot of his country.'

"At most identically the same hour the American Senate passed without a dissenting vote, a resolution calling for an investigation of Sims' conduct and public speeches in England, and the American House of Representatives entertained a resolution to call Sims to account, while members of both Houses of the Congress denounced his conduct, some speakers going so far as to demand his dismissal from the naval service of the United States.

"Rear Admiral Sims has chosen the British point of view as the right one. That is natural as he has always been loyal Briton and never an American—not even by birth.

"Since this officer is at heart a Briton, and a Tory Briton, at that he should not wear an American Naval uniform."

From the San Francisco Chronicle, November 14, 1922:

"Toronto, Nov. 13.—Rear Admiral William S. Sims, U. S. Navy, retired was heartily cheered when in an address before the Canadian Club today, he said that he favored the British 'because the British are good sports.'

"'I am pro-British,' Admiral Sims said. 'In fact I am characterized by some newspapers as the most popular British Admiral in the American Navy. I like the British because they are good sports and will stand the gaff without whimpering at all.'"

and

WHEREAS, The authorities of the University of California have invited the said William S. Sims to address the students of the University on Charter Day, March 23 next, thus placing their seal of approval upon the conduct and utterances of said Sims, and exposing the young men and women of the University to the contagion of the kind of propaganda above noted; and

WHEREAS, The Legislature of the State of California has authority and supervision over all of those departments or institutions for which it must provide funds for their maintenance; therefore, be it

Resolved by the Senate. This fifteenth day of March in session assembled, that we believe the invitation extended to the said William S. Sims is not in harmony with American ideals and we demand that the authorities of the State University cancel the invitation.

(Signed)

WALTER A. McDONALD,
Senator, Twenty-third District.

CHAS. W. GODSIL,
Senator, Twenty-first District.

P. J. GRAY,
Senator, Twentieth District.

DANIEL C. MURPHY,
Senator, Twenty-fourth District.

JOHN J. CROWLEY,
Senator, Twenty-second District.

Resolution read, and referred to Committee on Universities and Teachers Colleges.

MOTION.

Senator West moved that the resolution be not printed in the Journal.

Motion seconded by Senator Arbuckle.

POINT OF ORDER.

Senator McDonald raised the point of order that Senator West's motion was out of order for the reason that no request had been made to print the above resolution in the Journal.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

REQUEST TO WITHDRAW.

Senator West requested leave to withdraw his motion that the above resolution be not printed in the Journal.

Request granted.

CONSIDERATION OF RESOLUTION.

Senator West asked unanimous consent to withdraw the above resolution from the committee on Universities and Teachers Colleges for the purpose of giving it immediate consideration.

Unanimous consent granted.

Senator Murphy moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution rejected by the following vote:

AYES—Senators Canepa, Crowley, Godsil, Gray, McDonald, and Murphy—6.
 NOES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J. Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 14, passed the following:

Assembly Bill No. 42—An act to amend section 1072 of the Political Code relating to compensation of officers of election:

Also: Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties: providing for the government of such districts: designating the officers thereof and prescribing their powers and duties:

Also: Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators:

Also: Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California:

Also: Assembly Bill No. 476—An act to amend section 7 of an act entitled, "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911:

Also: Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children:

Also: Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors:

Also: Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
 By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 42 referred to Committee on Elections.

Assembly Bill No. 192 referred to Committee on Municipal Corporations.

Assembly Bill No. 250 referred to Committee on Labor and Capital.

Assembly Bill No. 307 referred to Committee on Education.

Assembly Bill No. 476 referred to Committee on Municipal Corporations.

Assembly Bill No. 959 referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1075 referred to Committee on Judiciary.

Assembly Bill No. 1148 referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following resolution:

WHEREAS, The members of the Legislature have been invited by the Regents of the University of California to visit the University on Friday, March 16, 1923, and

WHEREAS, Many members of both houses desire to accept such invitation and to visit the University of California at the time aforesaid; now, therefore, be it

Resolved, By the Assembly of the State of California that the consent of the Assembly be, and the same is hereby, granted to the Senate of the State of California to adjourn the session thereof from such hour on Thursday, March 15, 1923, as may be determined by its members until the hour of 11 o'clock a.m. on Monday, March 19, 1923, such consent being given for the purpose of complying with the

requirements of section 14 of article IV of the constitution of the State of California, and that notice hereof be transmitted to the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Chief Clerk.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 2, line 36 of the printed bill, after the word "treasurer", insert the following: "treasury notes or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 42, of the printed bill, after the word "treasurer", insert the following: "treasury notes or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 2, line 41, of the printed bill, after the word "treasurer", insert the following: "treasury notes or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 48, of the printed bill, after the word "treasurer", insert the following: "treasury notes or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making

of a cut through Knights Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 548—An act to amend section 637, relative to the protection of fish.

Re-referred to Committee on Fish and Game.

Senate Bill No. 412—An act to add a new section to the Penal Code, to be numbered 637k, relating to prohibiting fishing off of dams in California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1, 2 and 3 of title and insert in lieu thereof the following: "An act to amend section 629a of the Penal Code, relating to the protection of fish.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of the line following the period after the figure 1 and all of lines 2 to 15, inclusively, and insert in lieu thereof the following:

"Section 629a. Every person who takes, catches, kills or has in his possession any fish taken in any manner within two hundred fifty feet of any fishway, or within one hundred fifty feet of the lower side of any dam, or within one hundred fifty feet of the upper side of any fish screen, shall be guilty of a misdemeanor. Every person found guilty of violating any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or imprisonment in the county jail of the county in which the conviction shall be had not less than ten days nor more than six months. All fines and forfeitures imposed or collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11 of the printed bill, after the word "nor and before the word "unless", insert the word "then".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12 of the printed bill, after the word "her", and before the word "admission", insert the words "application for".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 188—An act to authorize the State Board of Control to lease certain land belonging to the State of California, situate in the county of Los Angeles, and providing for the disposition of the moneys received under said leases.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title, strike out the period and insert in lieu thereof the following: "making an appropriation for the purposes hereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

In the title of the printed bill, strike out all of line 1 following the word "authorize", and all of lines 2, 3 and 4, and insert in lieu thereof the following: "The leasing of certain lands belonging to the State of California containing oil deposits and providing for the disposition of the moneys received under said leases."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 1 following the period, and all of lines 2 to 20, both inclusive, and insert in lieu thereof the following: "A commission composed of the members of the state board of control, the attorney general and the surveyor general is hereby created. Said commission shall have power to lease to the highest responsible bidder by competitive bidding under such regulation as the commission may adopt, tracts of such size and shape as the commission may determine, any land belonging to the State of California and dedicated to a public use, where such lands contain in the judgment of said commission oil in commercial quantities. Said commission is hereby authorized to accept bids for a cash bonus, as well as for royalty on production, and shall have the power to reject any and all bids.

SEC. 2. Any money remaining or accruing from such leases shall be paid into the state treasury to the credit of the general fund."

Amendment adopted.

AMENDMENT NUMBER FOUR.

"SEC. 3. The sum of five hundred dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be used in accordance with law for securing plats and diagrams, the compilation and printing of forms and for advertising for bids for leases hereunder.

SEC. 4. Inasmuch as this act provides an appropriation for the usual current expenses of the state it is hereby declared an urgency measure and shall under the provisions of section one of article four of the constitution take effect immediately."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE--THIRD READING OF SENATE BILLS.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIFTEEN.

Senate Concurrent Resolution No. 15—Approving the charter of the city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, one thousand nine hundred twenty-three.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 15 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Senate Concurrent Resolution No. 15 ordered transmitted to the Assembly.

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

Mar. 15, 1923

The law was called and Senate Bill No. 284 passed by the following vote:

AMES. SUBJECTS: A. B. Adams, Earl, Emma, John, Christopher, Conway, Det.
and First, Center, Lee, James, L. J. Grant, George, Joseph, Hall, Hagan, Harry,
Joseph, James, Lewis, L. J. Grant, George, Joseph, Hall, Hagan, Harry,
James, Joseph, and W. C. 29

Notes: 1. The authors are grateful to M. P. Nosenko and I. V. Kuznetsov for their assistance in the experiments.

The road and approach

[Bill] referred to the Assembly.

NOTES BY J. ALLEN, JR. FOR KENNEDY

Senator Bennett gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 284 was passed.

Received 1997-04-29; revised 1997-07-01; accepted 1997-07-01.

As speaker, Walter F. Hall, of the National Fish Hatchery, Auburn, Me., presided at the meeting of the Society in the hall.

Source: U.S. No. 25—Agreement to amend section 108 of the Patent Code (1952). Source of funding: none.

(c) $\lim_{t \rightarrow \infty} \frac{1}{t} \log \left(\frac{S_{\alpha}(t, \lambda)}{S_{\alpha}(t, \lambda_0)} \right) = S_{\alpha}(\lambda_0, \lambda) \quad \forall \lambda \in \mathcal{L} \text{ and } \lambda_0 \in \mathcal{L} \text{ fixed.}$

[illegible]

At twelve o'clock and forty five minutes p.m., Sergeant Carr of the Charlotte Division was called to the plant.

Summit Hill No. 22 (also see by regulation the composition of authority, in cases of a three-headed Government for the Government of persons to whom no other persons). It shows the better situation of such persons, to provide some legislation for proper regulation of better days, better school and college, providing the necessary of our, better and following better, thereby ensuring the general public interest and better school, and provide protection for persons thereof.

The result of Summit Hill No. 22 was passed on the

the method of Saito and Shiohara (1980) and (ii) $\frac{1}{2} \leq \alpha \leq 1$ and $\beta = 1$.

1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808

to find a β such that the integral process was a martingale. In this case,

Second bill was 2211, to amend the "Water Commission Act," approved June 16, 1911, by amending section 25, relating to fees on applications, and by adding thereto two new sections to be inserted 21st relating to fees on permits, and 21b, relating to payment of fees into the State Treasury and providing for exemption from fees.

Bill read third time.

The question being on the passage of the bill.

The real test called and answered this: the 465 passed by the following:

James - Nathaniel - John - Jonathan - Thomas - Joseph - Constant - Carl - Christian -
 George - Benjamin - Frederick - Benjamin - John - William - J. J. - Charles - George - Henry -
 Martin - Mary - William - George - Benjamin - James - Jonathan - J. E. - Frederick - M. E.

Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, Swing, and West—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 496 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. J. J. Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B. Johnson, M. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 228 to Senator Nelson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On line 7, strike out the period and insert in lieu thereof a comma and the following: "subject to the provisions of section one thousand four hundred two of this code".

AMENDMENT NUMBER TWO.

On line 12, after the comma following the word "administration" insert the following: "community debts, family allowance and the other charges and expenses of administration".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 228, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Boggs:

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to be known as the "Pure Milk Law" of California: to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the department of agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—

(OUT OF ORDER).

The following resolutions were offered:

By Senator Sharkey: Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship.

Senate Joint Resolution No. 13 referred to Committee on Federal Relations.

By Senator Sharkey: Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship.

Senate Joint Resolution No. 14 referred to Committee on Federal Relations.

ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until Monday, March 19, 1923.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, March 19, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 15, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Harris was, on motion of Senator Slater, granted leave of absence for this day.

Senator Hart was, on motion of Senator Gates, E. J., granted leave of absence for this day.

PRIVILEGE OF THE FLOOR OF THE SENATE EXTENDED.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Charlotte P. Ebbets, Margaret Whittemore, and Mrs. W. Nelson Whittemore of Santa Barbara.

On request of Senator Hurley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Riley S. Young, Speaker of Wisconsin Assembly.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Jas. K. Allen of Modesto.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John A. Boyd, J. H. Gogliordo, and Mr. and Mrs. Paul Vanucci of San Francisco.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. J. D. Rogers, and Mrs. Geo. Cross of Represa.

PETITION.

The following petition was presented by Senator McDonald and ordered printed in the Journal:

We, the undersigned teachers do heartily endorse the Teachers' Retirement Salary Bill as proposed by the Teachers' Association of San Francisco. We earnestly urge the legislators to support that bill.

MINNIE COULTER, Santa Rosa,
And 150 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended:

Also: Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores:

Also: Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Senate Bills Nos. 192, 598, and 456 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing a State Forester to protect such area:

Also: Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires:

Also: Senate Bill No. 498—An act to amend section 46 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

HURLEY, Chairman.

Senate Bills Nos. 407, 497, and 498 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—7; committee vote: Ayes—5; absent—2.

HURLEY, Chairman.

Senate Bill No. 50 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests:

Also: Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange:

Also: Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry contingent fund:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

HURLEY, Chairman.

Senate Bills Nos. 119, 408 and 424 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act:

Also: Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act:

Also: Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knights Landing ridge, and the construction of a canal therefrom; to provide for the election

and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913;

Also: Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district;

Also: Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water;

Also: Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities;

Also: Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes;

Also: Senate Bill No. 412—An act to amend section 629a of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California;

Also: Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof;

Also: Senate Bill No. 188—An act to authorize the leasing of certain lands belonging to the State of California containing oil deposits and providing for the disposition of the moneys received under said leases, and making an appropriation for the purposes hereof;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 15—Approving the charter of the city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923;

Also: Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Boggs to introduce a bill entitled—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act—

has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced out of the regular order:

By Senator Boggs: Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California: to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

Read first time, referred to Committee on Agriculture and Live Stock.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts and change of boundaries of school districts;

Also: Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections;

Also: Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

HARRIS, Chairman.

Senate Bills Nos. 499, 395 and 396 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 46—An act to amend section 1 of an act entitled, "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools;

Also: Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519c, 1620a, and 1543c, providing for the cooperative purchase of standard school supplies and equipment by school districts;

Also: Senate Bill No. 489—An act to repeal section 1617½ of the Political Code, relating to the selling or leasing of school property unoccupied by any public school, by boards of education and boards of trustees of certain school districts and certain union or joint union high school districts; to add a new section to the Political Code to be numbered 1617½ relating to the selling or leasing of real property upon which no public school is being maintained, by boards of education or boards of trustees of any school district or any high school district in the State,

of whatever kind or class; and to approve, confirm, ratify and validate all sales or leases of real property upon which no public school was being maintained, heretofore made or purporting to have been made in reliance upon the provisions of said section 1617½ of the Political Code by boards of education or boards of trustees of school districts or of high school districts of the State:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

HARRIS, Chairman.

Senate Bills Nos. 46, 138 and 489, ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 2—Relative to the endorsement of the "Lehlbach Bill" House Resolution No. 13136, providing federal pensions for thirty years of service regardless of the age of the employee—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Senate Joint Resolution No. 2 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 3—Relative to the endorsement of House Resolution No. 13382; to increase the compensation of customs laborers—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Senate Joint Resolution No. 3 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 11—Relative to the establishment of a Bureau or Department of Publicity by the United States Government—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that it be adopted as amended.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Senate Joint Resolution No. 11 ordered on file.

REQUEST FOR INTRODUCTION OF BILLS.

The following request for permission to introduce bills was presented:
By Senator Rominger:

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists.

Request referred to Committee on Rules.

Also:

An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to provide for the formation, organization and classification of new counties, for locating the county seats, for the election and appointment of officers and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended.

Request referred to Committee on Rules.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following resolutions were offered:

By Senator Rominger: Senate Constitutional Amendment No. 27, relative to the formation of new counties and altering the boundary lines of existing counties.

Constitutional amendment referred to Committee on Constitutional Amendments.

By Senator Rominger: Senate Constitutional Amendment No. 28, relative to city and county charters.

Constitutional amendment referred to Committee on Constitutional Amendments.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 15th, passed the following:

Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class;

Also: Assembly Bill No. 205—An act to amend section 1739a of the Political Code, relating to high school districts;

Also: Assembly Bill No. 272—An act to establish Gold Discovery Day;

Also: Assembly Bill No. 275—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts;

Also: Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home;

Also: Assembly Bill No. 541—An act to amend section 1184a of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished;

Also: Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of joint highway districts composed of two or more counties of the State of California."

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 131 referred to Committee on Municipal Corporations.

Assembly Bill No. 205 referred to Committee on Education.

Assembly Bill No. 272 referred to Committee on Judiciary.

Assembly Bill No. 275 referred to Committee on Municipal Corporations.

Assembly Bill No. 276 referred to Committee on Judiciary.

Assembly Bill No. 290 referred to Committee on Hospitals and Asylums.

Assembly Bill No. 541 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 791 read first time, and referred to Committee on Roads and Highways.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 3, of the printed bill, strike out the words "of both sex" together with the comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 488.—An act to amend section 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i, and 2322j of the Political Code, relating to agriculture.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the figures "2322" insert the following:

"(1) The office of county horticultural commissioner is hereby created. Whenever in this act the term "commissioner" is used, the same shall be taken to mean and refer to county horticultural commissioner. Within thirty days after this act shall become effective, it shall be the duty of the board of supervisors of each of the counties of the State to appoint a county horticultural commissioner for their respective county from a list of names of persons eligible to hold such position, which list must be furnished from time to time by the state director of agriculture, as required. If, at any time, a vacancy shall occur in the office of said commissioner, such vacancy must be filled by appointment by the board of supervisors within thirty days after such vacancy occurs, and from a list of all persons eligible, which list must be furnished to the board of supervisors by the state director of agriculture. The term of office of said commissioner shall be for four years from and after his appointment and until his successor shall be appointed and qualified, but he shall be subject to removal after complaint made by petition and trial, had in the manner provided in subdivision numbers 64 and 65 of this section. Prior to entering upon the discharge of the duties of his office, the commissioner shall file with the county clerk the oath of office prescribed for county officers and shall give a bond conditioned for the faithful performance of his duties, with sufficient sureties approved by a judge of the superior court in the sum of one thousand dollars. Such commissioner shall have power to appoint, subject to removal at his pleasure, persons duly qualified as hereinafter provided, to fill the several offices of deputy horticultural commissioner, inspector and clerk, hereinafter provided, and the salary of the said commissioner, and all the deputies, inspectors and clerks so appointed in the several counties shall be as follows, to wit:

(2) In counties of the first class, the commissioner shall receive a salary of three thousand nine hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Three deputy horticultural commissioners at a salary of two thousand four hundred dollars each per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed thirty inspectors at a monthly salary of one hundred fifty dollars each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed fifty-four thousand dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed two clerks at a monthly salary of one hundred forty dollars each during the time actually employed and not to exceed one clerk at a monthly salary of one hundred fifty dollars during the time actually employed, and not to exceed one clerk at a monthly salary of two hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for all such clerks shall not exceed seven thousand five hundred sixty dollars.

(3) In counties of the second class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the commissioner the following inspector to be appointed by said commissioner, which position is hereby created, and the salary is hereby fixed as follows, to wit:

(a) One inspector at a monthly salary of one hundred fifty dollars during the time actually employed, but the aggregate amount which may be expended in any such year for such inspector shall not exceed one thousand eight hundred dollars.

(4) In counties of the third class, the commissioner shall receive a compensation of six dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for the commissioner shall not exceed one thousand eight hundred dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two deputy county horticultural commissioners at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such deputies shall not exceed three thousand dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed two inspectors at a compensation of three dollars and a half per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand sixty dollars.

(5) In counties of the fourth class, the commissioner shall receive a salary of three thousand six hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of two thousand one hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed twenty inspectors at a compensation of four dollars and a half per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twenty-five thousand dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred twenty-five dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand five hundred dollars.

(6) In counties of the fifth class, the commissioner shall receive a salary of three thousand six hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Six inspectors at a monthly salary of one hundred thirty dollars each during the time actually employed, one inspector at a compensation of five dollars per diem during the time actually employed, one inspector at a compensation of four dollars and a half per diem during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twelve thousand two hundred sixty dollars.

(b) One clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(7) In counties of the sixth class, the commissioner shall receive a compensation of ten dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for such commissioner shall not exceed three thousand dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) Two deputy county horticultural commissioners at a compensation of eight dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such deputies shall not exceed two thousand four hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed two inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed one thousand five hundred dollars.

(8) In counties of the seventh class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two inspectors, class A, at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed three thousand four hundred dollars.

(b) Two inspectors, class B, at a compensation of four dollars and a half per diem each during the time actually employed, but the aggregate amount which may

be expended in any year for all such inspectors shall not exceed three thousand fifty dollars.

(c) Four inspectors, class C, at a compensation of four dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand eight hundred eighty dollars.

(9) In counties of the eighth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two deputy county horticultural commissioners at a compensation of six dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such deputies shall not exceed three thousand six hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed fifteen inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed fifteen thousand seven hundred fifty dollars.

(10) In counties of the ninth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) Fifteen inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twenty-two thousand five hundred dollars.

(b) One clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed twelve hundred dollars.

(11) In counties of the tenth class, the commissioner shall receive a salary of four thousand two hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two deputy county horticultural commissioners at a salary of three thousand dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed two inspectors at a monthly salary of one hundred and fifty dollars each during the time actually employed, three inspectors at a monthly salary of one hundred and thirty dollars each during the time actually employed, two inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twenty-eight thousand three hundred eighty dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred and twenty-five dollars during the time actually employed, one clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for all such clerks shall not exceed two thousand seven hundred dollars.

(12) In counties of the eleventh class, the commissioner shall receive a salary of thirty-six hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) Two deputy county horticultural commissioners at a salary of two thousand four hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed ten inspectors at a monthly salary of one hundred seventy-five dollars each during the time actually employed, seven inspectors at a monthly salary of one hundred sixty-five dollars each during the time actually employed, six inspectors at a monthly salary of one hundred fifty dollars each during the time actually employed, fifteen inspectors at a compensation of five dollars per diem each during the time actually employed, twenty inspectors at a compensation of four dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed seventy-nine thousand eight hundred forty dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed two clerks at a monthly salary of one hundred twenty-five dollars each during the time actually employed, one clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for all such clerks shall not exceed four thousand two hundred dollars.

(13) In counties of the twelfth class, the commissioner shall receive a salary of thirty-six hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies,

inspectors and clerks to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of twenty-two hundred twenty dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed four inspectors at a monthly salary of one hundred sixty dollars each, during the time actually employed; five inspectors at a monthly salary of one hundred forty-five dollars each during the time actually employed; three inspectors at a monthly salary of one hundred thirty dollars each, during the time actually employed; seven inspectors at a compensation of four dollars per diem each during the time actually employed, and eight inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twenty-six thousand seven hundred dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a salary of one hundred twenty-five dollars per month during the time actually employed, and two clerks at a monthly salary of one hundred dollars each during the time actually employed, but the aggregate amount which may be expended in any year for all such clerks shall not exceed two thousand dollars.

(14) In counties of the thirteenth class, the commissioner shall receive a compensation of twenty-four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Eight inspectors at a salary of five dollars and a half per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed four thousand eight hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk, at a salary of twenty-five dollars per month during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed three hundred dollars.

(15) In counties of the fourteenth class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) One inspector at a monthly salary of one hundred and twenty-five dollars during the time actually employed, four inspectors at a compensation of four dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed six thousand three hundred dollars.

(b) One clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(16) In counties of the fifteenth class, the commissioner shall receive a salary of three thousand six hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of two thousand dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed two inspectors at a monthly salary of one hundred fifty dollars each during the time actually employed; twelve inspectors at a monthly salary of one hundred forty dollars each during the time actually employed, and three inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twenty-five thousand seven hundred sixty dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred thirty-five dollars per month during the time actually employed, and one clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for all such clerks shall not exceed four thousand one hundred dollars.

(17) In counties of the sixteenth class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Eleven inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed fifteen thousand one hundred fifty dollars.

(b) One clerk at a monthly salary of one hundred twenty-five dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand five hundred dollars.

(18) In counties of the seventeenth class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of two thousand four hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed thirty inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for inspectors shall not exceed seven thousand five hundred dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(19) In counties of the eighteenth class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of two thousand one hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed four inspectors at a monthly salary of one hundred fifty dollars each during the time actually employed, and two inspectors at a monthly salary of one hundred twenty-five dollars each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand two hundred dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred twenty-five dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand five hundred dollars.

(20) In counties of the nineteenth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Four inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for such inspectors shall not exceed two thousand seven hundred ninety dollars.

(b) One clerk at a monthly salary of seventy-five dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed nine hundred dollars.

(21) In counties of the twentieth class, the commissioner shall receive a compensation of two thousand five hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One inspector at a compensation of five dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for such inspector shall not exceed one thousand dollars.

(22) In counties of the twenty-first class, the commissioner shall receive a salary of two thousand one hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two inspectors at a monthly salary of one hundred dollars each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand four hundred dollars.

(23) In counties of the twenty-second class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one thousand five hundred dollars per annum during the time actually employed, but the aggregate amount which may be expended in any year for such deputy shall not exceed one thousand five hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed eight inspectors at a compensation of three dollars and a half per diem, each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed four thousand dollars.

(24) In counties of the twenty-third class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one thousand eight hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed six inspectors at a monthly salary of one hundred thirty dollars each during the time actually employed; two inspectors at a monthly salary not to exceed one hundred ten dollars each during the time actually employed, and two inspectors at a monthly salary not to exceed ninety dollars each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed fourteen thousand one hundred sixty dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed two clerks at a monthly salary of one hundred dollars each during the time actually employed, but the aggregate amount which may be expended in any year for all such clerks shall not exceed two thousand four hundred dollars.

(25) In counties of the twenty-fourth class, the commissioner shall receive a compensation of eight dollars per diem when actually engaged in the performance of his duties, but the aggregate amount which may be expended in any year for the commissioner shall not exceed two thousand four hundred dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Three inspectors at a compensation of four dollars per diem each during the time actually employed, four inspectors at a compensation of three dollars and a half per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand eight hundred dollars.

(b) One clerk at a monthly salary of ten dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one hundred twenty dollars.

(26) In counties of the twenty-fifth class, the commissioner shall receive a compensation of six dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for the commissioner shall not exceed one thousand eight hundred dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two inspectors at a compensation of five dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand two hundred fifty dollars.

(b) One clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(27) In counties of the twenty-sixth class, the commissioner shall receive a compensation of eight dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for the commissioner shall not exceed two thousand four hundred dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two inspectors at a compensation of five dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed three thousand dollars.

(28) In counties of the twenty-seventh class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Ten inspectors at a compensation of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed eleven thousand five hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(29) In counties of the twenty-eighth class, the commissioner shall receive a salary of one thousand seven hundred fifty dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors, to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Five inspectors at a compensation of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed four hundred dollars.

(30) In counties of the twenty-ninth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one thousand five hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed three inspectors at a monthly salary of one hundred dollars each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand four hundred dollars per year.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a salary of one thousand dollars per annum, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand dollars.

(31) In counties of the thirtieth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one thousand eight hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed two inspectors at a compensation of five dollars per diem each, during the time actually employed, and four inspectors at a compensation of four dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed four thousand dollars.

(32) In counties of the thirty-first class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks, to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two inspectors at a monthly salary of one hundred twenty-three dollars each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed one thousand dollars per year.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of seventy-five dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed nine hundred dollars per year.

(33) In counties of the thirty-second class, the commissioner shall receive a salary of one thousand eight hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Ten inspectors at a compensation of five dollars per diem each, during the time actually employed; three inspectors at a compensation of four dollars and a half per diem each, during the time actually employed; three inspectors at a salary of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any one year for all such inspectors shall not exceed four thousand nine hundred dollars per year.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a compensation of three dollars and a half per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one hundred dollars.

(34) In counties of the thirty-third class, the commissioner shall receive a salary of one thousand eight hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a compensation of five dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for such deputy shall not exceed five hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed four inspectors at a compensation of four dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed one thousand two hundred dollars.

(35) In counties of the thirty-fourth class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerk to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a compensation of six dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such deputy shall not exceed one thousand eight hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed seven inspectors at a compensation of five dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed ten thousand five hundred dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk, at a monthly salary of one hundred dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(36) In counties of the thirty-fifth class, the commissioner shall receive a compensation of six dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such commissioner shall not exceed one thousand eight hundred dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Three inspectors at a compensation of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed three thousand sixty dollars.

(37) In counties of the thirty-sixth class, the commissioner shall receive a compensation of five dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for such commissioner shall not exceed one thousand five hundred dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Three inspectors at a compensation of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed three thousand sixty dollars.

(38) In counties of the thirty-seventh class, the commissioner shall receive a salary of one thousand eight hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerk, to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Five inspectors at a compensation of six dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed six thousand six hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of seventy-five dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed nine hundred dollars.

(39) In counties of the thirty-eighth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one thousand eight hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed one inspector at a monthly salary of one hundred twenty dollars, during the time actually employed, and three inspectors at a compensation of four dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed five thousand forty dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk, at a salary of three dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed nine hundred dollars.

(40) In counties of the thirty-ninth class the commissioner shall receive a compensation of seven dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such commissioner shall not exceed two thousand one hundred dollars; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two inspectors at a compensation of four dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed one thousand two hundred dollars.

(41) In counties of the fortieth class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class, there

shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(41) Two inspectors at a compensation of six dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed three thousand six hundred dollars.

(42) In counties of the forty-first class, the commissioner shall receive a salary of three thousand six hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Fifteen inspectors at a compensation of six dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twelve thousand dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk, at a monthly salary of one hundred dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(43) In counties of the forty-second class, the commissioner shall receive a compensation of six dollars per diem, during the time actually employed; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a compensation of five dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such deputy shall not exceed one thousand five hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed three inspectors at a compensation of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand dollars.

(44) In counties of the forty-third class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputy and clerk to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one thousand five hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk, at a monthly salary of sixty-five dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed seven hundred eighty dollars.

(45) In counties of the forty-fourth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one hundred fifty dollars per month, during the time actually employed but the aggregate amount which may be expended in any year for such deputy horticultural commissioner shall not exceed one thousand eight hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed five inspectors, at a monthly salary of one hundred twenty-five dollars each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed seven thousand five hundred dollars.

(46) In counties of the forty-fifth class the commissioner shall receive a salary of one dollar per annum.

(47) In counties of the forty-sixth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following clerk, to be appointed by said commissioner, which position is hereby created, and the salary is hereby fixed as follows, to wit:

(a) One clerk, at a monthly salary of eighty dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed nine hundred sixty dollars.

(48) In counties of the forty-seventh class, the commissioner shall receive a salary of one thousand nine hundred twenty-three dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerk, to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(49) One inspector at a compensation of five dollars per diem each, during the time actually employed, and four inspectors at four dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed six thousand three hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a compensation of four dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars.

(49) In counties of the forty-eighth class, the commissioner shall receive a salary of two thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following positions, inspectors and clerk, to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county horticultural commissioner at a salary of one thousand eight hundred dollars per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed two inspectors at a compensation of five dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors is one thousand five hundred dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a salary of one thousand five hundred dollars per annum, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand five hundred dollars.

(50) In counties of the forty-ninth class, the commissioner shall receive a compensation of six dollars per diem, during the time actually employed; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerk to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) The commissioner is also authorized and empowered to appoint not to exceed three inspectors at a compensation of five dollars per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed five hundred dollars.

(b) The said commissioner is also authorized and empowered to appoint not to exceed one clerk at a compensation of two dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed three hundred fifty dollars.

(51) In counties of the fiftieth class, the commissioner shall receive a salary of one dollar per annum.

(52) In counties of the fifty-first class, the commissioner shall receive a salary of one thousand eight hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Two inspectors at a compensation of five dollars per diem each, during the time actually employed, and four inspectors at a compensation of four dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed one thousand three hundred dollars per annum.

(53) In counties of the fifty-second class, the commissioner shall receive a salary of one thousand eight hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors, to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Four inspectors at a compensation of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed four thousand eight hundred dollars.

(54) In counties of the fifty-third class, the commissioner shall receive a salary of one dollar per annum.

(55) In counties of the fifty-fourth class, the commissioner shall receive a salary of one dollar per annum.

(56) In counties of the fifty-fifth class, the commissioner shall receive a salary of one dollar per annum.

(57) In counties of the fifty-sixth class, the commissioner shall receive a salary of one dollar per annum.

(58) In counties of the fifty-seventh class, the commissioner shall receive a salary of one dollar per annum.

(59) In counties of the fifty-eighth class, the commissioner shall receive a salary of one dollar per annum.

(60) The salary and compensation herein provided for the commissioner and deputy commissioner shall be paid out of the county treasury in equal monthly installments, where the employment is by the year, and monthly as earned in other cases, in the same manner and at the same time as other county officers are paid. In addition to the salaries and compensations herein provided, said commissioner, deputy commissioners and inspectors shall each be entitled to receive their personal

and traveling expenses necessarily incurred in the performance of their said duties and said expenses so incurred and all compensation earned by such officers or employees as shall not be employed by the year, shall be a county charge and the board of supervisors shall allow and pay the same out of the general fund of the county in the same manner as other claims against said fund are allowed and paid.

(61) If for any reason the board of supervisors refuse or neglect to appoint a commissioner at the expiration of the thirty days referred to in section two thousand three hundred twenty-two hereof or at the expiration of the term of office, or if it refuse or neglect to appoint a commissioner to fill a vacancy in the office of county horticultural commissioner, as elsewhere provided for in this act, then the director of agriculture shall select and appoint a commissioner from the said list of eligible persons. Whenever the director of agriculture shall appoint a commissioner as herein provided, then the board of supervisors must provide for the payment of such appointee's compensation and expenses in the same manner as if such appointment had been made by the board of supervisors.

(62) In case of vacancy in the office of said commissioner it shall be the duty of the director of agriculture to furnish the board of supervisors of the county in which such vacancy shall have occurred with a list of names of all persons eligible to the office of county horticultural commissioner and from such list and within thirty days after receipt thereof, the said board of supervisors shall appoint a person to fill such vacancy. No person shall be eligible to the office of county horticultural commissioner unless, prior to his appointment, he has received and holds from the director of agriculture a valid certificate of eligibility to the office. If the position cannot be filled from said list of eligibles, then such vacancy may be temporarily filled for a period not exceeding three months by a person who has not received a certificate of eligibility but who is recommended to the board of supervisors in writing by the director of agriculture.

(63) The director of agriculture shall, by examination, pass upon the qualifications of all persons desiring to become county horticultural commissioners and may, in writing, adopt rules and regulations governing such examinations not inconsistent with law for carrying out the purposes of this act. Certificates of eligibility issued by the director of agriculture shall be good for five years from the date of certification or until revoked as hereinafter provided, and in the case of incumbents, shall be renewed by the director of agriculture without further examination. At the time of his appointment a commissioner need not be a resident of the county.

The director of agriculture shall also, by himself or his authorized agent or agents, pass upon the qualifications of all persons desiring to become a county horticultural inspector, as provided for under subdivision two of this section, and shall issue valid certificates of eligibility to such persons as shall have been found qualified to serve as such, and no person shall be entitled to serve as such county horticultural inspector for a longer term than three months unless there shall have been issued to him a valid certificate of eligibility to such office by the state director of agriculture. Neither deputy county horticultural commissioners nor inspectors need be residents of the county or counties for which they may be chosen. In all counties having charters providing for civil service examination of county horticultural inspectors, the director of agriculture shall issue a certificate of eligibility without other examination than that required by the civil service provisions of the county charters, and upon the presentation to him of a certificate of the civil service board of said county showing the candidate for county horticultural inspector had passed such civil service examination.

(64) Upon the petition of twenty-five resident freeholders of any county, each of whom is possessed of an orchard, greenhouse or nursery, or upon evidence being presented to the director of agriculture that the county horticultural commissioner of such county is guilty of neglect of duty, incompetence or misconduct in office, which evidence in the opinion of the director of agriculture shall warrant a hearing or hearings upon the matter, the county horticultural commissioners' trial board hereinafter provided shall thereupon hold such a hearing or hearings at such times and places as it shall provide.

(65) The state director of agriculture and the president of the state association of county horticultural commissioners shall thereupon select an impartial third person who with the said director of agriculture and said president of the state association of county horticultural commissioners shall compose a trial board to determine whether said commissioner is guilty of the charges as presented. Said board as thus created, shall be known as the county horticultural commissioners' trial board, and at such hearing or hearings the trial board shall hear such evidence as is offered and thereafter, within thirty days, make an order either dismissing the charges as untrue or an order disqualifying the accused. The said director of agriculture shall give notice in writing to the said commissioner, of the time and place of such hearing and such information as to the nature of the charges as will enable him to make a defense thereto, at least ten days prior to the date of the hearing or hearings. In case the order made by said trial board disqualifies said commissioner the director of agriculture shall forthwith revoke said commissioner's certificate of eligibility and a copy of such order shall be immediately transmitted in writing by the director of agriculture to the board of supervisors and auditor of said county.

(66) The said board of supervisors shall provide a suitable office for the said commissioner, and shall furnish and equip the said office with all necessary furniture, supplies and effects for the proper discharge of the commissioner's duties. The said board of supervisors may also provide the commissioner with all necessary field equipment for the proper discharge of the duties of his office. All expenses ordered by the board of supervisors for such office, furniture, supplies, effects and equipment shall be a county charge and the board of supervisors shall allow and pay the same out of the general fund of the county.

Sec. 2. Section two thousand three hundred twenty-two *a* of the Political Code is hereby amended to read as follows.

2322*a*. (1) The said commissioner, deputy horticultural commissioners and inspectors have full authority to enter into any orchard, nursery or premises where trees, plants, fruits or vegetables are kept or offered for sale or otherwise, or into any house, storeroom, sales room, depot or any other such place in their jurisdiction, to inspect the same, or any part thereof.

It shall be the duty of said commissioner in each county, whenever he shall deem it necessary, to cause an inspection to be made of any premises, orchards or nurseries, or trees, plants, vegetables, vines or fruits, or any fruit-packing house, storeroom, salesroom, or any other place or article in his jurisdiction, and if found infested or infested with plant diseases, insect or other animal pests injurious to fruits, plants, vegetables, trees, or vines, or if there is found growing thereon noxious weeds, he may in writing notify the record owner or owners, or person or persons in charge or in possession of the said premises, articles or things, that the same are infested or infested with said plant diseases, insect or other animal pests, or any of them, or that noxious weeds are growing thereon, and require such person or persons, to that eradicate or destroy or to control to the satisfaction of the said commissioner the said plant diseases, insect or other animal pests or noxious weeds within a certain time to be therein specified. Said notices may be served upon the person or persons or either of them owning as of record or having charge or having possession of such infested or infested premises, articles or things, or premises where noxious weeds are found, or upon the agents of either, by said commissioner, or by any person deputed by the said commissioner for that purpose in the same manner as a summons in a civil action; *provided, however*, that if any such infested or infested articles, property or premises as hereinabove specified belong to any person who is not a resident of the county, and there is no person in control or possession thereof; and there is no tenant, bailer, depository or agent of such nonresident person upon whom service can be had, who can after diligent search be found; or if the said owner or owners of any such articles, property or premises can not after due diligence be found, then such notice may be served by posting copies of the same in three conspicuous places upon such property or premises, and by mailing a copy thereof to the said owner thereof at his last known place of residence, if the same is known, or can by the exercise of reasonable diligence be ascertained; or if not known then to the county seat of the county wherein said property is situated.

In the case of nursery stock found to be actually infested with any of the diseases known as crown gall, hairy root, root knot or nematodes, the commissioner may hold such infested nursery stock giving notice in writing to the owner thereof and thereafter it shall be unlawful to move such infested nursery stock, excepting under written permission of said commissioner; *provided*, that this shall in no wise affect the authority of said commissioner as set forth in Sections 2322*f* and 2322*h* of this Act.

(2) When any such notice of eradication, or of control, or of destruction is served concerning any property, said commissioner may cause a copy thereof to be filed for record in the office of the county recorder of the county within which said property is situated, and may cause a copy thereof to be mailed to the person or persons who appear of record to be the owners of any mortgage, trust deed, lien, contract, option, bond, or other incumbrance on said property, at the last known place of residence of said incumbrancer, and if the place of residence of said incumbrancer be unknown to said commissioner, then said fact shall be stated in said copy so mailed and it shall be addressed to the county seat of the county wherein said property is situated.

(3) In case any such plant diseases, insect, or other animal pests injurious to fruit, plants, vegetables, trees, or vines, are found to exist in public parks or along streets, highways, or other property subject to the control of a city or county government, or if there is found in any public park, street, highway, or on other property subject to the control of a city or county government any noxious weeds, then said notice in writing shall be served on the chairman of the governing body of said city or county, and in case the work of eradication, or of control, or of destruction of the said plant diseases, insect or other animal pests, or noxious weeds in the said public parks, streets, highways, or other public property shall be performed by the said commissioner, then the cost thereof shall become a city or county charge, as the case may be, and shall be paid from the general fund of said city or county.

(4) In case plant diseases, insect or other animal pests injurious to fruit, plants, vegetables, trees or vines, or any noxious weeds are found to exist upon any canal or ditch or levee or other property or premises subject to the control of any irrigation,

drainage, flood control, reclamation or levee district, or other political subdivision of the state then said notice in writing shall be served on the chairman of the governing body of said district or political subdivision, or in case said chairman be absent from the county, or for any reason cannot be served, on some other member of said governing body, and in case the work of eradication or control or of destruction of the said plant diseases, insect or other animal pests or noxious weeds upon said canal or ditch or levee or other property or premises shall be performed by the said commissioner, then the cost thereof shall become a legal charge and shall be paid from the general maintenance or operating fund, as the case may be, of said district or political subdivision.

(5) Any and all premises, articles or things mentioned in this act, infested or infested with plant diseases, insect or other animal pests, or premises where noxious weeds are found are hereby expressly declared to be a public nuisance, and shall be prosecuted as such in all actions and proceedings whatever and all remedies which are or may be given by law for the prevention and abatement of nuisance shall apply thereto, and it shall be unlawful to maintain the same. The remedies hereinabove provided shall be in addition to the remedy by way of abatement hereinafter provided.

(6) Whenever any such nuisance shall exist at any place within a county, and the proper notice thereof shall have been served as hereinbefore provided, and such nuisance shall not have been abated within the time specified in such notice, it shall be the duty of the said commissioner to cause said nuisance to be at once abated by eradicating or by controlling, or by destroying said plant diseases, insect or other animal pests, or said noxious weeds.

(7) The expense thereof shall be a county charge, and the board of supervisors shall allow and pay the same out of the general fund of the county; and all sums so paid from the date of payment shall be and become a lien on the property and premises from which said nuisance has been removed or abated in pursuance of this chapter. Notice of such lien shall be filed and recorded in the office of the county recorder of the county in which the said property is situated within thirty days after the right to the said lien has accrued and a copy of said notice of lien shall be mailed to the person or persons who appear of record to be the owners of any mortgage, trust deed, lien, contract, option, bond, or other incumbrance on said property at the last known place of residence of said incumbrancer and if the place of residence of said incumbrancer be unknown to said commissioner, then said fact shall be stated in said copy so mailed and it shall be addressed to the county seat of the county wherein said property is situated. Such lien shall take precedence over and be paramount to all mortgages, trust deeds, liens, contracts, options, bonds, or other incumbrances upon the land excepting only the lien of taxes provided a copy of the notice of eradication, or control or destruction shall have been filed for record and a copy shall have been mailed to the holder of any such incumbrance in the manner hereinbefore in subdivision (2) provided. If said sum secured by such lien be not repaid to said county within eighty days from the filing of said notice of lien, then and there shall be added to the same and secured by such lien a penalty of fifteen per cent of the amount of said lien. An action to foreclose said lien shall be commenced within ninety days after the filing and recording of said notice of lien, which action shall be brought in the proper court by the district attorney of the county in the name and for the benefit of the county making such payment or payments, and when the property is sold, enough of the proceeds shall be paid into the county treasury of such county to satisfy the lien and costs; and the overplus, if any there be, shall be paid to the owner of the property, if he be known, and if not, into the court for his use when ascertained.

(8) The said commissioner shall have power and authority to prescribe and enforce rules for the qualification of any person, persons, firm or corporation, who desires to engage for hire in the business of eradicating or controlling plant diseases, insect or other animal pests or noxious weeds injurious to the plant industry of the state, and to issue certificates to all persons whom he shall find by examination or otherwise to be duly qualified for engaging in such work. Such certificate shall be revocable whenever the said commissioner shall deem such revocation necessary. No person, persons, firm or corporation shall be permitted to engage for hire in the business of eradicating or controlling plant diseases, insect or other animal pests or noxious weeds injurious to the plant industry of the state, who has not first secured a certificate in the manner herein provided.

SEC. 3. Section two thousand three hundred twenty-two *b* of the Political Code is hereby amended to read as follows:

2322*b*. This act shall in no wise affect any other act or acts providing for the destruction of ground squirrels or other animal pests, or applying to the proceedings thereunder, but it is intended to and does provide the alternative system of proceedings for the extermination or control of ground squirrels or other animal pests referred to in this act; and it shall be within the discretion of the governing body of each county, city and county, city or town, to provide for the extermination or control of ground squirrels or other animal pests, whether under the provisions of this act or under the provisions of such other act or acts; but when any proceedings are commenced under this act, the provisions of this act and of such amendments as

colus arvensis), star thistle (*Centaurea species*), Russian knapweed (*Centaurea repens*), Canada thistle (*Cirsium arvense*), bull thistle (*Cirsium lanceolatum*), milk thistle (*Silbum marianum*), creeping sow thistle (*Sonchus oleraceus*), hardhack (*Verum species*), cocklebur (*Xanthum species*), white horse nettle (*Sabium cheirifolium*), also, any other species of plant which, after practical survey and investigation, are found by the director of agriculture to be noxious and a menace to agriculture, shall by said director, through proclamation, be declared a noxious weed. Such proclamation shall be made under the seal of the department of agriculture and shall be published once a week for two successive weeks in a newspaper or farm journal of general circulation published and circulated in the county or counties where the said plant is known to exist. A copy of such proclamation shall also be posted in a public place in or near the area to be affected thereby.

(d) The term "insect or other animal pests" shall mean any form of animal life which is or may be detrimental to agriculture in any of its phases, and shall include the eggs, larvae, pupae, or other immature stages thereof.

(e) The term "plant diseases" shall mean any unhealthy condition of plants or parts thereof caused by the parasite organisms known as fungi, bacteria and slime molds.

(f) The term "seeds" shall be construed to include any reproductive or propagative part of a plant.

(g) The term "nursery stock" shall mean any trees, shrubs, plants, vines, bulbs, cuttings, grafts, scions or buds.

SEC. 7. Section two thousand three hundred twenty-two of the Political Code is hereby amended to read as follows:

2322f. Any person, persons, firm or corporation receiving, bringing or causing to be brought into any county or locality of the State of California from another county or locality within said state any nursery stock, fruit pits, fruit, vegetables or seed, for the purpose of planting or propagating the same or any or all shipments of nursery stock, fruit pits, fruit, vegetables or seed or containers thereof, or other orchard appliances which the county horticultural commissioner or the state director of agriculture may consider liable to be infected or infested with plant diseases, insect or other animal pests or noxious weed seeds and which if so infected or infested would constitute a dangerous menace to the orchards, farms and gardens of the county, locality, or state, shall immediately after the arrival thereof notify the said commissioner, his deputy, or nearest inspector of the county in which such nursery stock, or fruit or vegetables, or seeds are received, of their arrival, and hold the same without unnecessarily moving or placing such articles where they may be harmful, for immediate inspection by such county horticultural commissioner, his deputy, inspector or deputy quarantine officer or guardian.

SEC. 8. Section two thousand three hundred twenty-two of the Political Code is hereby amended to read as follows:

2322g. Each shipment of nursery stock, fruit pits, fruit, vegetables, or seed imported or brought into any county of the State of California from another county within said state for planting or propagating purposes, shall have plainly and legibly marked thereon in a conspicuous manner and place, the name and address of the shipper, owner or owners, or person forwarding or shipping same, and also the name of the person, firm or corporation to whom the same is forwarded or shipped, or his or its responsible agents.

Each shipment of nursery stock sold, delivered or transported, within the State of California, shall have affixed thereto in a conspicuous place by the person or persons, firm or corporation making such sale or delivery or transportation, a tag or shipping permit issued by the commissioner having jurisdiction at the point from which such sale, delivery or transportation is made.

A manifest showing the contents of each shipment, also the name of the locality where the contents were grown and a statement of the contents therein shall be made to the commissioner having jurisdiction at the point of destination when shipment is made.

SEC. 9. Section two thousand three hundred twenty-two of the Political Code is hereby amended to read as follows:

2322h. When any shipment of nursery stock, fruit pits, fruit, vegetables or seed or their containers or orchard appliances or farm implements imported or brought into any county or locality of the State of California from another county or locality of the State of California from another county or locality within said state or brought into any locality of any county from another locality within said county is found to be infected or infested with plant diseases, insect or other animal pests or noxious weed seeds, not known to exist in the county or locality into which such shipment is brought and which pests, diseases or noxious weed seeds are determined by said commissioner to be of such a nature that said shipment constitutes a menace to the orchards, vineyards, gardens or farms of California through imminent danger of the escape of said pests, or noxious weed seeds or infection by said diseases, the entire shipment shall be refused delivery and shall be immediately destroyed by said commissioner or under his direction by his deputy or inspector; provided however, that if said shipment is found to be infected or infested with plant diseases, insect or other animal pests, or noxious weed seed not known to exist in the

county or locality into which said shipment is brought, and if it shall be determined by said commissioner that the nature of the plant disease, insect or other animal pests, or noxious weed seeds, be such that there is no imminent danger of escape of said pests, or noxious weed seeds, or infection by such plant diseases, or if there is reasonable cause to presume that said shipment may be so infected or infested, said commissioner, or deputy or inspector, who shall make the inspection, shall notify the owner, or person, firm or corporation, having possession or control of said articles, to return the same to point of shipment within forty-eight hours after such notification, and it shall be the duty of such owner, person, firm or corporation to so ship said articles. Such shipment shall be under the direction and control of said commissioner and the expense thereof, including packing, shall be paid by the owner or owners of said shipment. *It is further provided, however,* that if any shipment is found to be infected or infested with plant diseases, insect or other animal pests or noxious weed seeds, which are of common occurrence in the county or locality into which said shipment is brought and said pests, or diseases, or noxious weed seeds, may be exterminated or controlled by such treatment as may be prescribed by, or under authority of, the commissioner of the county into which it is brought, said shipment may be disinfected or cleaned at the expense of the owner or owners, his or their responsible agents, in a manner and within a time satisfactory to the commissioner, deputy or inspector, and after such treatment the shipment may be delivered to the consignee.

Sec. 10. Section two thousand three hundred twenty-two *i* of the Political Code is hereby amended to read as follows:

2322i. Any person, persons, firm or corporation violating any of the provisions of this act or refusing or neglecting to comply with the requirements of any legal notices issued under the authority and provisions of this act shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for a period not exceeding six months or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

Sec. 11. Section two thousand three hundred twenty-two *j* of the Political Code is hereby amended to read as follows:

2322j. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein; also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "said act" and insert in lieu thereof the following: "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27 and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, after the word "court," insert the words "property or rights of way,"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 38, of the printed bill, strike out the word "not" and insert in lieu thereof "omitted or illegally".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 39, of the printed bill, after the word "assessment" insert the words "or diagram".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 48, of the printed bill, after the word "assessment" insert the words "or diagram".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 14, of the printed bill, after the word "assessment," strike out the words "it shall by motion or order confirm the said assessment, whereupon" and insert in lieu thereof the word "thereupon".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 50, of the printed bill, after the word "payment," strike out the following: "The said contractor or his assigns shall also after the expiration of twenty (20) days from the date of the recording of the assessment, deliver to the street superintendent a written statement of all payments received upon the assessment."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 7, of the printed bill, after the word "statement," strike out the words "signed by the contractor, mentioned in section twenty-four thereof," and insert in lieu thereof the following: "of all payments received upon the assessment, signed by the contractor, or his assigns."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 13, of the printed bill, after the word "time" insert the following: "prior to the filing of the written statement signed by the contractor or his assigns hereinabove mentioned,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 35, of the printed bill, after the word "assessment," strike out the word "certificate".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 46, of the printed bill, after the word "warrant" strike out the words "and certificate".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, line 17, of the printed bill, after the word "relation" insert the following: "incerto, or any creative act that may be passed by the legislature in relation".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 6, line 39, of the printed bill, after the word "issued" insert the words "under this act".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 169—An act to amend section 602 of the Political Code, relating to corporations sole.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out the word "Political", and insert in lieu thereof the word "Civil".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the word "Political", and insert in lieu thereof the word "Civil".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "president" strike out the words "or presiding elder" and insert in lieu thereof a comma and the following words "district superintendent or other presiding officer".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, strike out the prefix "in" in the word "incorporation".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill after the word "Section 1", insert the following:

"Counties of ninth class, salaries of officers. In counties of the ninth class, the county and township officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County clerk. The county clerk, three thousand six hundred dollars per annum.

2. Sheriff. The sheriff, four thousand dollars per annum. The sheriff shall also be allowed his actual, reasonable and necessary expenses in all civil and criminal cases.

3. Recorder. The recorder, two thousand five hundred dollars per annum.

4. Auditor. The auditor, three thousand dollars per annum.

5. Treasurer. The treasurer, three thousand dollars per annum.

6. Tax-collector. The tax-collector, three thousand dollars per annum. The tax-collector shall pay all his own traveling expenses.

7. Assessor. The assessor, three thousand six hundred dollars per annum. The assessor shall also receive his actual, reasonable and necessary expenses while engaged in his official duties in the field.

8. District attorney. The district attorney, three thousand six hundred dollars per annum.

9. Coroner. The coroner, such fees as are now or may be hereafter allowed by law. The coroner shall pay his own traveling expenses.

10. Public administrator. The public administrator, such fees as are now or may be hereafter allowed by law. The public administrator shall pay his own traveling expenses.

11. Superintendent of schools. The superintendent of schools, two thousand one hundred eighty dollars per annum, and his actual traveling expenses necessarily incurred in the performance of his duties. The compensation herein provided shall be in full for all services including attendance on the county board of education.

12. Surveyor. The surveyor, three thousand dollars per annum, and actual, reasonable and necessary expenses when engaged in the field or in the office in the discharge of his official duties.

13. Supervisors. The chairman of the board of supervisors shall receive three thousand dollars per annum, and the other members of the board of supervisors shall each receive the sum of one thousand five hundred dollars per annum, and in addition thereto each supervisor shall receive his actual traveling expenses not to exceed five hundred dollars for each, in any one year; provided, that the board of supervisors may authorize any one or more of its members to attend the annual State convention or conventions of county boards of supervisors, and may allow to such members of its board so authorized and attending such convention or conventions the actual expenses incurred in so doing.

14. Justices of the peace. Justices of the peace shall receive the following salaries for all services rendered by them, payable in the same manner as county officers are paid, viz: In townships having a population of twenty thousand or more, two thousand one hundred dollars per annum; in townships having a population of not less than five thousand nor more than twenty thousand, one thousand

eight hundred dollars per annum; in townships having a population of not less than three thousand nor more than five thousand, one thousand five hundred dollars per annum; in townships having a population of not less than two thousand nor more than three thousand, one thousand two hundred dollars per annum; in townships having a population of not less than one thousand four hundred nor more than two thousand six hundred dollars per annum; in all townships having a population of less than one thousand four hundred, three hundred dollars per annum; *provided*, that for the purposes of this section the population of the several townships shall be ascertained by multiplying the number of registered voters at the last general election by three. The compensation herein fixed for justices of the peace shall be in full for all services rendered, and all fees collected by them shall be paid into the county treasury to the credit of the general fund.

15. Constables. Constables shall receive the following salaries for all services rendered by them in criminal cases, payable monthly in the same manner as county officers are paid, viz.: In townships having a population of fourteen thousand or more, one thousand eight hundred dollars per annum; in townships having a population of not less than five thousand and not more than fourteen thousand, one thousand two hundred dollars per annum; in townships having a population of not less than three thousand nor more than five thousand, nine hundred dollars per annum; in townships having a population of not less than two thousand nor more than three thousand, six hundred dollars per annum; in townships having a population of not less than one thousand four hundred nor more than two thousand, four hundred twenty dollars per annum; in townships having a population of less than one thousand four hundred, two hundred forty dollars per annum; they shall also receive and retain all fees permitted by law for serving of civil processes.

16. Bonds. The board of supervisors shall from time to time fix the amount of bonds to be executed by each of the officers aforesaid, and such bonds shall be furnished by the officers in the amount fixed by said board; all bonds of county officers shall be executed by reliable surety companies to be approved by the board of supervisors and the cost of bonds of county officers and members of the board of supervisors, when such bonds shall have been approved, shall be a charge against the county and paid out of the general fund.

17. Deputies. (a) The county clerk shall have one chief deputy at a salary of one thousand nine hundred twenty dollars per annum; two court room deputies at a salary of one thousand five hundred dollars per annum each; one deputy who shall act as the clerk of the board of supervisors at a salary of one thousand nine hundred twenty dollars per annum; one deputy who shall act as assistant to the clerk of the board of supervisors at a salary of one thousand six hundred eighty dollars per annum; three office deputies at a salary of one thousand five hundred dollars per annum each; and in the event the departments of the Superior Court are increased, then the county clerk shall have an additional deputy for each of such additional departments of said court, at a salary of one thousand five hundred dollars per annum each; the county clerk shall have a deputy or deputies not to exceed twenty in number for the purpose of registering electors, who shall be paid not to exceed eight cents for each elector registered, which compensation shall be in full for all services rendered by such deputy or deputies in registering such electors; in addition to the other deputies herein provided for; the county clerk shall have one emergency deputy, who shall receive one hundred dollars per month; the emergency deputy, however, shall not be employed except and only when the board of supervisors shall determine that the business of the clerk's office requires the assistance of such emergency deputy.

(b) The county recorder shall have one chief deputy at a salary of one thousand eight hundred dollars per annum, and two deputies at a salary of one thousand five hundred dollars per annum each, and in addition thereto is authorized to employ such number of copyists and assistants as may from time to time be necessary to properly perform the duties of such office, which copyists and assistants shall receive five cent per folio for copying documents required by law to be recorded, to be paid out of the salary fund; all fees paid to or collected by or coming into the hands of the county recorder shall be paid by said county recorder to the treasurer of said county and by said treasurer deposited into the salary fund.

(c) The county auditor shall have one chief deputy at a salary of two thousand four hundred dollars per annum; two deputies at a salary of one thousand five hundred dollars per annum each; one general bookkeeper at a salary of one thousand eight hundred dollars per annum; one assistant bookkeeper at a salary of one thousand two hundred dollars per annum; one voucher clerk at a salary of one thousand six hundred eighty dollars per annum; *provided, however*, that the board of supervisors may authorize the employment of emergency assistants for the purpose of extending taxes or in the event of other emergencies; the compensation of such assistants shall be four dollars per day and the total amount expended for such assistants during any one year shall not exceed one thousand dollars.

(d) The district attorney shall have one deputy at a salary of two thousand four hundred dollars per annum; one deputy at a salary of two thousand one hundred dollars per annum; one deputy at a salary of one thousand eight hundred dollars per annum; one reporter at a salary of one thousand eight hundred dollars per annum; one stenographer at a salary of one thousand five hundred dollars per annum; *provided, however*, that the board of supervisors may, when the affairs of such county require it, employ additional legal help, either in civil or criminal cases, and shall fix the compensation to be paid for such help.

(c) The superintendent of schools shall have one chief deputy at a salary of two thousand one hundred dollars per annum and one deputy at a salary of one thousand five hundred dollars per annum.

(f) The sheriff shall have the following deputies: an under sheriff at a salary of two thousand four hundred dollars per annum; two deputies at a salary of one thousand five hundred dollars per annum each; two deputies at a salary of one thousand two hundred dollars per annum each; two jailors at a salary of one thousand five hundred dollars per annum each; one clerk at a salary of one thousand five hundred dollars per annum; one finger print expert at a salary of one thousand nine hundred two dollars per annum; one stenographer at a salary of one thousand two hundred dollars per annum; two court room bailiffs at a salary of one thousand two hundred dollars per annum each; *provided*, that if the number of departments of the superior court shall be increased then the sheriff shall have an additional court room bailiff for each additional department of the said court at a salary of one thousand two hundred dollars per annum; *provided further*, that the board of supervisors may in cases of emergency authorize the sheriff to employ and appoint additional deputies at a compensation of not to exceed five dollars per day, such additional deputies however, shall not be employed except and only when and during such time as the board of supervisors shall from time to time determine, the total amount to be expended for such emergency deputies, during any one year shall not exceed the sum of two thousand dollars.

(g) The county surveyor shall have one chief deputy at a salary of two thousand one hundred dollars per annum; one stenographer at a salary of one thousand two hundred dollars per annum; one draftsman at a salary of one thousand five hundred dollars per annum; one assistant surveyor at a salary of one thousand two hundred dollars per annum; the board of supervisors may authorize the employment of chain men, rod men and other assistants for the county engineer, when in the opinion of said board such assistants are necessary, and said board shall fix the compensation to be paid for such assistants.

(h) The coroner shall have authority to appoint one deputy who shall be paid by the coroner out of his fees.

(i) The assessor shall have one chief deputy at a salary of two thousand nine hundred dollars per annum; one draftsman at a salary of one thousand five hundred dollars per annum; one stenographer and copyist at a salary of one thousand two hundred dollars per annum; one office deputy at a salary of one thousand five hundred dollars per annum; one office deputy at a salary of one thousand two hundred dollars per annum; two emergency deputies, neither of which to be employed to exceed one hundred twenty days during each year, who shall receive four dollars per day while employed; fifteen field deputies none of whom shall serve to exceed eighty days in any one year, each of such field deputies shall receive five dollars per day while employed; in case of emergency the board of supervisors may authorize the county assessor to employ additional emergency deputies at a compensation not to exceed five dollars per day while employed, the total to be expended for such emergency deputies shall not exceed the sum of five hundred dollars during any one year.

(j) The treasurer shall have one chief deputy at a salary of two thousand one hundred dollars per annum; one clerk and stenographer at a salary of one thousand two hundred dollars per annum; in addition to the other deputies herein provided for, the treasurer shall have one emergency deputy who shall receive one hundred dollars per month and only when the board of supervisors shall determine that the business of the treasurer's office requires the assistance of such emergency deputy.

(k) The tax collector shall have one chief deputy at a salary of two thousand one hundred dollars per annum; one clerk and stenographer at a salary of one thousand two hundred dollars per annum; in addition to the other deputies herein provided for, the tax collector shall have one emergency deputy who shall receive one hundred dollars per month; the emergency deputy however shall not be employed except and only when the board of supervisors shall determine that the business of the tax collector's office requires the assistance of such emergency deputy.

18. Fees, mileage, etc. Each of the officers hereinbefore mentioned and their deputies, except as herein otherwise provided, shall in addition to their compensations herein fixed be allowed the actual traveling expenses when traveling is necessary in the performance of their respective duties; the salary, fees, mileage and compensation herein fixed and provided shall be in full for all official services rendered or performed and no county, district or township official shall receive from the county any salary, compensation, fees, commission or mileage except as herein provided; all fees and money, including mileage, paid to or collected by any of the officers or deputies or assistants for any services required of them, except that collected or received by the coroner and public administrator or by constables as herein

provided, shall be paid into the county treasury to the credit of the general fund, except as herein otherwise provided, and it shall be the duty of each officer herein mentioned to collect all fees provided by law to be collected by him or in his office, and each officer shall be responsible to the county for the collection of the fees which he is now or may hereafter be authorized by law to collect and no salary shall be paid any county, district or township officer until he shall have collected and paid into the county treasury the fees, moneys and mileage required of him to be collected and paid into such treasury, as herein provided.

19. Salaries. All salaries shall be paid monthly in equal payments."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6, line 38, of the printed bill, strike out the word "four" and in lieu thereof insert the word "three".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, strike out all of lines 46 to 52, both inclusive, and on page 7 of the printed bill strike out all of lines 1 to 19, both inclusive, and in lieu thereof insert the following:

"19. In counties of this class the official phonographic reporter of the superior court shall receive the sum of two thousand four hundred dollars per annum as compensation for the reporting of both civil and criminal cases in the superior court, for preliminary examinations in the justice court, for proceedings on coroner's inquests and for all other county work; in addition thereto for transcribing his notes when ordered or required by law he shall receive such fees as are now or may hereafter be provided by law. The reporter's compensation for transcribing notes in criminal cases shall be paid by the county, and in civil cases by the parties to the action. In civil cases the parties to the action shall pay a fee of ten dollars per day for the services of the reporter, which money shall be paid into the salary fund of the county treasury. The salary of the reporter shall be paid out of the county treasury in the same manner as other county officers are paid.

20. The provisions of subdivisions 12, 18 and 19 of this section shall become operative ninety days after the final adjournment of the present session of this legislature. It is hereby found as a fact that the changes provided for in subdivisions 19 and 20 of this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 285 passed by the following vote:

AYES—Senators Allen, Arbutuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Swing, and West—31.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Senate Bill No. 82 to Senator McDonald as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out entire section 6 and in lieu thereof insert the following: "Each member of the board shall receive as compensation a per diem of ten dollars for his services together with his actual and necessary traveling expenses when actually engaged in attending the meetings of said board."

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, strike out the words and figure "three (3) years" and in lieu thereof insert the words and figure "one (1) year."

AMENDMENT NUMBER THREE.

On page 3, line 3, of the printed bill, strike out the words and figure "three (3) years" and in lieu thereof insert the words and figure "one (1) year".

AMENDMENT NUMBER FOUR.

On page 3, line 4, of the printed bill, strike out the words and figure "three (3) years" and in lieu thereof insert the words and figure "one (1) year".

AMENDMENT NUMBER FIVE.

On page 3, line 47, of the printed bill, strike out the words and figure "three (3) years" and in lieu thereof insert the words and figure "one (1) year".

AMENDMENT NUMBER SIX.

On page 5, line 13, of the printed bill, after the word "barber" strike out the semicolon and in lieu thereof insert a comma and add the following: "nor shall it be construed as applying to hair dressers or cosmeticians."

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 82, with instructions to amend, respectfully reports the same back, amended as per instructions.

McDONALD, Committee.

Report read, and on motion of Senator McDonald, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 228 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

On motion of Senator Crowley, Senate Bill No. 108 was passed on file.

Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 480 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 428 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 122 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Reminger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds.

On motion of Senator Sharkey, Senate Bill No. 443 was passed on file.

Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 131 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson moved to refer Senate Bill No. 444, to Senator Ingram as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, between the words "as" and "librarians", insert the word "school".

AMENDMENT NUMBER TWO.

On page 1, line 15, between the words "as" and "attendance", insert the word "school".

AMENDMENT NUMBER THREE.

On page 1, line 17, strike out the word "or", and insert in lieu thereof the word "and".

AMENDMENT NUMBER FOUR.

On page 1, strike out line 27, and insert in lieu thereof the following: "Third—The minimum general standard for each type of credential shall be as".

AMENDMENT NUMBER FIVE.

On page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: "(a) For the general secondary school credential, five years of university or college, or of university, college, and normal school education of present day standard, including a baccalaureate degree, and the professional training prescribed by the State Board of Education; or equivalent qualifications."

AMENDMENT NUMBER SIX.

On page 2, line 6, strike out the word "certificate", and insert in lieu thereof the word "credential".

AMENDMENT NUMBER SEVEN.

On page 2, line 7, strike out the word "and", and insert in lieu thereof the word "including".

AMENDMENT NUMBER EIGHT.

On page 2, line 8, strike out the "period", and insert in lieu thereof a "semi-colon", and the words "or equivalent qualifications".

AMENDMENT NUMBER NINE.

On page 2, line 9, strike out the word "certificate", and insert in lieu thereof the word "credential".

AMENDMENT NUMBER TEN.

On page 2, line 11, strike out the word "and", and insert in lieu thereof a "comma" and the word "including".

AMENDMENT NUMBER ELEVEN.

On page 2, line 14, strike out the word "certificate", and insert in lieu thereof the word "credential".

AMENDMENT NUMBER TWELVE.

On page 2, line 16, strike out the word "and", and insert in lieu thereof a "comma" and the word "including".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 19, strike out all matter beginning with the word "certificate", down to and including the word "certification", in line 21, and insert in lieu thereof the following: "credential: as high a general standard for each of the different subjects as conditions at the time will warrant".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 27, strike out the words "certificates, the", and insert in lieu thereof the following: "credential, the general".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 29, strike out the word "certificate", and insert in lieu thereof the word "credential".

AMENDMENT NUMBER SIXTEEN.

On page 2, immediately following line 29, insert the following: "(c) For instruction supervisor's credential, a teacher's certificate authorizing the holder to teach in the public schools in which he desires to supervise instruction and such other special and professional requirements as may be prescribed by the state board of education."

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 30, strike out all reading matter up to and including the word "certificate", and insert in lieu thereof the following: "(d) For the administrator's credential."

AMENDMENT NUMBER EIGHTEEN.

On page 2, immediately following the word "second" in line 32, insert the following: "a minimum of not less than two years of experience as a teacher, supervisor, or school administrator, as prescribed by the state board of education: third."

AMENDMENT NUMBER NINETEEN.

On page 2, strike out lines 35 and 36, and insert in lieu thereof the following: "(f) For librarians, the same standards as applied to other special credentials of like grade."

AMENDMENT NUMBER TWENTY.

On page 2, line 37, strike out the letter "I", and insert in lieu thereof the letter "J".

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 39, following the word "experience", strike out the word "and", and insert in lieu thereof the word "including".

AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 41, strike out the letter "I", and insert in lieu thereof the letter "K".

AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 46, strike out the word "certificate", and insert in lieu thereof the word "credential".

AMENDMENT NUMBER TWENTY-FOUR.

On page 2, line 48, strike out the words "the holding of".

AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 51, strike out the word "capacity", and insert in lieu thereof the word "capacities".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 444, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Special Committee.

Report read, and on motion of Senator Ingram, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 3627, relating to the powers of the State Department of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 445 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773 and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777 and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson moved to refer Senate Bill No. 446 to Senator Ingram as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, beginning with the word "When", in line 29, strike out all ensuing matter down to and including the word "textbooks", in line 33, and insert in lieu thereof the following: "The school district must provide for the purchase of supplemental books, and must pay for the same out of the library fund of the district."

Third—To prescribe and enforce in public elementary schools, other than those governed by city boards of education, a course of study and the use of a uniform series of textbooks."

AMENDMENT NUMBER TWO.

On page 2, line 34, strike out the word "*Third*", and insert in lieu thereof the word "*Fourth*".

AMENDMENT NUMBER THREE.

On page 2, line 36, strike out the word "except", and insert in lieu thereof the words "other than".

AMENDMENT NUMBER FOUR.

On page 2, line 48, strike out the word "*Fourth*", and insert in lieu thereof the word "*Fifth*".

AMENDMENT NUMBER FIVE.

On page 2, line 51, strike out the word "*Fifth*", and insert in lieu thereof the word "*Sixth*".

AMENDMENT NUMBER SIX.

On page 4, line 20, strike out the words "that may be", and insert in lieu thereof the words "heretofore or".

REPORT OF SPECIAL COMMITTEE OF ONE.

Mr. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 446, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Special Committee.

Report read, and on motion of Senator Ingram, adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.

On motion of Senator Gates, E. J., Senate Bill No. 354 was passed on file.

Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 318 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOTES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

On motion of Senator Gates, E. J., Senate Constitutional Amendment No. 18 was passed on file.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature.

COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed resolution, strike out the word "one" and insert in lieu thereof the word "person".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed resolution, strike out the word "the" and insert in lieu thereof the word "this".

Amendment adopted.

Senate Constitutional Amendment No. 2 ordered to print, engrossment, and on file for third reading.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 23 of article VI, relating to the eligibility of judges for office.

On motion of Senator Crowley, Senate Constitutional Amendment No. 6 was passed on file.

Senate Joint Resolution No. 12—Relative to the employment of war veterans at the Soldiers' Home at Sawtelle, and at Yountville.

Resolution read.

The question being on the passage of the resolution.

The roll was called, and Senate Joint Resolution No. 12 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Senate Joint Resolution No. 12 ordered transmitted to the Assembly.

Senate Bill No. 517—An act to amend section 5 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Senate Bill No. 517 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill by inserting after the word "five" in the first line thereof, the words "and section seven".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "Section 1. An" and insert in lieu thereof, the following: "Section 1. Section five and section seven of an".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, strike out the words "is hereby amended in section five to read as follows:" and insert in lieu thereof, the following: "are hereby amended to read as follows:".

AMENDMENT NUMBER FOUR.

Add a new paragraph at the end of the printed bill, said new paragraph to read as follows:

"Sec. 7. Standard packages are hereby established as follows:

- (1) Standard apricot, plum and grape basket, approximately eight inches square on top, six and one-half inches on bottom, and four inches deep, inside measurements.
- (2) Standard berry baskets, dry pint containing an interior capacity of approximately thirty-three and six-tenths cubic inches and dry one-half pint containing interior capacity of approximately sixteen and eight-tenths cubic inches: *provided*, that the standard basket for strawberries shall be the dry pint.

	Depth inside, in inches	Width inside, in inches	Length outside, in inches
(3) Standard pear box -----	8 $\frac{1}{2}$	11 $\frac{1}{2}$	19 $\frac{1}{2}$
Half pear box -----	4 $\frac{1}{2}$	11 $\frac{1}{2}$	19 $\frac{1}{2}$
Standard peach box -----	4 $\frac{1}{2}$	11 $\frac{1}{2}$	19 $\frac{1}{2}$
Standard peach box -----	4 $\frac{1}{2}$	11 $\frac{1}{2}$	19 $\frac{1}{2}$
Standard peach box -----	4 $\frac{1}{2}$	11 $\frac{1}{2}$	19 $\frac{1}{2}$
Standard crates -----	4 $\frac{1}{2}$	16	17 $\frac{1}{2}$
Standard crates -----	4 $\frac{1}{2}$	16	17 $\frac{1}{2}$
Standard crates -----	4 $\frac{1}{2}$	16	17 $\frac{1}{2}$
(4) Standard grape crates -----	4 $\frac{1}{2}$	16	17 $\frac{1}{2}$
With heavy cleat 11 16 of on inch by 11 16 of an inch.			
(5) Standard grape drum -----	14	15 $\frac{1}{2}$	---
Containing 2642 cubic inches.			
(6) Standard grape keg -----			---
Containing 2642 inches minimum.			
(7) California lug box -----	5 $\frac{1}{2}$	14	17 $\frac{1}{2}$
(8) Peach size cherry lug -----	4	11 $\frac{1}{2}$	19 $\frac{1}{2}$
(9) Standard cherry lug -----	4 $\frac{1}{2}$	9	19 $\frac{1}{2}$
(10) Special cherry lug -----	3	9 $\frac{1}{2}$	19 $\frac{1}{2}$
(11) Special cherry lug -----	3	11 $\frac{1}{2}$	19 $\frac{1}{2}$
(12) Standard cherry box -----	2 $\frac{1}{2}$	9	19 $\frac{1}{2}$
(13) Special fruit lug -----	4	14	17 $\frac{1}{2}$

(14) Standard cantaloupe crates, twelve inches by twelve inches by twenty-two and one-half inches, to be packed with thirty-six or forty-five cantaloupes; four inches by twelve inches by twenty-two and one-half inches, to be packed with nine, twelve or fifteen cantaloupes; eleven inches by eleven inches by twenty-two and one-half inches, to be packed with forty-five or fifty-four cantaloupes; thirteen inches by thirteen inches by twenty-two and one-half inches, to be packed with thirty-six or forty-five cantaloupes; four and one-half by thirteen and one-half by twenty-two and one-half inches, containing nine, twelve or fifteen cantaloupes. All cantaloupe packs other than those provided in this section shall be conspicuously marked in letters not less than one-half inch in height "irregular pack."

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 517, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and on motion of Senator Boggs, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Eden moved to refer Senate Bill No. 31 to Senator Sample as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, after line 20, insert the following:

"SEC. 4. Violation of the provisions of this act by the driver of a motor vehicle carrying passengers for hire shall not be imputed to one who at the time of such negligence is riding with such driver as a bona fide passenger for hire in such vehicle."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 31, with instructions to amend, respectfully reports the same back, amended as per instructions.

SAMPLE, Special Committee.

Report read, and on motion of Senator Eden, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 94 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Gray, Handy, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively, 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the re-establishment and redefinition of the boundaries of the counties of the State of California.

On motion of Senator Breed, Senate Bill No. 315 was passed on file.

Senate Bill No. 267—An act to add a new section to the Code of Civil Procedure to be numbered 287a, relating to the taking of depositions where the conduct of an attorney is being investigated by a bar association or a committee thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 267 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—Senators Carr and McDonald—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

The roll was called, and Senate Bill No. 269 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 270 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 271—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges.

On motion of Senator Dennett, Senate Bill No. 271 was passed on file.

Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and Swing—27.

NOES—Senators Gray, McDonald, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease.

On motion of Senator Dennett, Senate Bill No. 190 was passed on file.

Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922.

Resolution read.

The question being on the passage of the resolution.

The roll was called, and Senate Concurrent Resolution No. 16 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harney, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Senate Concurrent Resolution No. 16 ordered transmitted to the Assembly.

Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 105 passed by the following vote:

AYES—Senators Allen, Aronckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOOR OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until one o'clock and ten minutes p.m.

Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 106 passed by the following vote.

AYES—Senators Allen, Aronckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 188—An act to authorize the State Board of Control to lease certain land belonging to the State of California, situate in the county of Los Angeles, and providing for the disposition of the moneys received under said leases.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, E. J., moved to refer Senate Bill No. 188 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the bill after the comma, following the word "leases" insert the words "creating a commission to carry out the provisions of this act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 188, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and on motion of Senator Gates, E. J., adopted.

Bill ordered to print, and re-engrossment.

HOUR OF RECESS EXTENDED.

At one o'clock and fifteen minutes p.m., the hour of recess was extended until one o'clock and thirty minutes p.m.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following resolution was introduced:

By Senator Inman:

SENATE CONCURRENT RESOLUTION No. 17.

Relative to leave of absence of E. L. Dow from the State of California.

Resolved by the Senate, the Assembly concurring. That leave of absence from the State of California for a longer period than sixty (60) days during his term of office is hereby granted to E. L. Dow, who is one of the trustees of Reclamation District No. 108, also one of the commissioners of Knight's Landing Ridge Drainage District, and also one of the commissioners of the Sacramento River West Side Levee District.

Referred to Committee on Rules.

PRESENTATION OF MEMORIAL.

The following Memorial was offered by Senators McDonald and Murphy, read by the Secretary of the Senate and, on request of Senator McDonald, ordered printed in the Journal:

ST. PATRICK'S DAY MEMORIAL.

The birthday of St. Patrick, patron saint of Ireland, has just passed, and in passing we may note that in company with us throughout the civilized world, wherever the sons of the Gael may wander, the praises of St. Patrick are sung and the story of his life and teachings are told.

The 17th day of March is a day that will ever be celebrated by the sons of Erin whether under the open dome of Ireland's sky, in the dark recesses of her glens and caves, or in the temples and halls of fame of foreign lands. The 17th day of March is Ireland's great national holiday. It is a day that has a tender significance to every Irish heart. It is a day that has come to indicate and suggest to the Irish mind the time when Ireland and her people were freed from the bonds of paganism and superstition; the time when Ireland was one of the great centers of intellectual activity in Europe; the time when Ireland was called the "land of saints and scholars"; the time when the sons of Erin were happy, contented and free. It is a day that suggests and recalls to the Irish mind the time when Ireland was the "Niobe of nations." It suggests the tear-stained, blood-stained tragedy of the Irish race—the long, sad struggle of a people for liberty and independence; the long, sad struggle of a people to maintain the faith that St. Patrick implanted within their breasts. Yes, it is a day that has come to serve as an inspiration for the future and it gives rise to the fond hope in the breast of every Irish heart that Ireland may soon again become a free and independent nation.

We celebrate St. Patrick's Day above all other days because St. Patrick reared the cross of God on Erin's soil; because he lit the fire of the Christian faith in the Irish breast never to flicker or die out; because St. Patrick symbolizes the Irish ideal of true manhood; his lowly birth and beginning, his life, his humility, his works and his teachings have served and will ever serve as an inspiration for devotion, fidelity, courage and true Christian charity to the Irish race.

There is also another reason why we celebrate St. Patrick's Day, and why we recall the part that Ireland and her sons have played in the world's history; to tell the story of Ireland to the people of the civilized world in order that they may appreciate and have before them the injustice Ireland has suffered in order that Banquo's ghost may not down and in order that England in this enlightened age, bowed in sorrow and shame, may at last repent and endeavor to make at least a partial reparation for her sins against the Irish people.

History tells us that St. Patrick in about the year 400 A.D. came to Ireland as a slave; that he was employed as a shepherd herding sheep on her mountain sides; that he learned to love her cheerful, true and simple people; that he escaped to the continent where he prepared himself and returned to Erin as an apostle of Christ to convert the people, whom he had learned to love, to Christianity without shedding a drop of blood.

At the time St. Patrick came to Ireland, she was a pagan nation, though her people were possessed of a certain loftiness of mind and worship, and had reached a high state of culture and civilization. St. Patrick indeed found a fertile soil in the keen, sharp and receptive mind of the Celt in which to sow the seeds of the true Christian faith. The result of St. Patrick's fruitful mission to Ireland is too familiar to you to warrant repetition. You remember how he Christianized her people, how he met the Druids, the learned priests of Paganism, and the King of Ireland on Tara's Hill and here explained to them the true Christian faith, and expounded to them the doctrine of the Trinity, using as an illustration the three-leaf Shamrock, which was ever afterward to be a sacred emblem of the Irish people; how he then lit the flame of Christianity upon the altar of God which has remained burning steadily throughout the centuries, dispelling the surrounding darkness and sending its civilizing beams to the uttermost parts of the earth.

The centuries immediately following the advent of St. Patrick to Erin were prosperous ones for her people. She was known as the land of saints and scholars. Her schools and colleges were famed the world over. She was in fact one of the great centers of intellectual activity. Her learned monks carried the celestial banner of Christianity to the continent and to her sister island, England. Her teachers were sought in the leading institutions of learning of the time. Charlemagne, who had reared his great empire on the ruins of mighty Rome, sought out the Irish scholars and teachers and appointed them to positions of honor and responsibility in his court.

While her people were quietly engaged in peaceful educational pursuits and in furtherance of the arts and sciences, when the pen had supplanted the sword, the Danes, a band of marauders and barbarians of the north, like the Huns of old, crushed down upon her like a mighty avenging fury; destroyed, sacked and pillaged her churches and her temples, laid waste her fields and impaired her industries. But her people were undaunted, and with the faith of St. Patrick in their heart and the determination to be free, a united Irish people rose up in their might and drove the enemy from their borders in the year 1014 on the field of Clontarf, under the leadership of the mighty Brian Boru. But the influence of the Danes left its traces on Irish civilization, and in her weakened condition Ireland, with her life blood sapped, her institutions of learning in ruins, her fields laid bare, began slowly to recoup her lost fortunes. Her people, somewhat disunited but filled with sincerity, simplicity and truth, unaccustomed to the treachery, deceit, intrigue and bad faith of her Briton brethren, fell a prey to the siren guile and serpent guile of Henry II, their pretended friend, in the year 1171. Then followed the tear-stained, blood-stained tragedy of Erin's sons—the terrible slaughter by Cromwell at Drogheda. Her very hills and valleys echoed with the wails and moans of a starved, dying and depressed people. Her very soil reeked with the innocent blood of her sons.

During these dark days in Erin there appeared on the scene of action heroes, priests, patriots, statesmen and martyrs whose loyalty, bravery and courage astounded the world: her Hugh O'Neils, her Patrick Sarsfields, her Father Murphys, her Wolf Tones, her Lord Fitzgeralds, her Edmund Burkes, her Robert Emmets, her Daniel O'Connells, her William Smith O'Briens, her Thomas Francis Meaghers, her Michael Davitts and her Charles Stuart Parnells.

The history of the dark days of Erin are doubtless familiar to you all. Her penal laws; how her representatives of God were hunted like wolves; her lands taken from her sons; oppression unbearable, tyranny unspeakable. Ireland oppressed by her brethren of Briton without right or reason; robbed of her lands and possessions; robbed of her homes and her firesides. Ireland, who had a glorious history "ere England had emerged from the British barbarism." Her sons forbidden by law to wear the green shamrock, their sacred emblem; with unselfish devotion to a principle and to the faith of their fathers, and with that courage, sacrifice and fidelity symbolized to the Irish mind by St. Patrick, began their march westward.

In the words of the poet:

"But if at last our color should be torn from Ireland's heart,
Her sons with shame and sorrow from the dear old Isle will part:
I've heard a whisper of a country that lies beyond the sea,
Where rich and poor stand equal in the light of equality."

ADJOURNMENT.

At one o'clock and thirty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

other incidental powers and duties of the court—has had the same under consideration, and respectfully reports the same back, and recommends that it be not adopted. Committee membership—9; committee vote—Ayes—7; noes—1; absent—1.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 10 ordered on file.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 151—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "bank act" by amending sections 19, 21a, 24a, 37, 46, 51, 62, 65, 79, 80, 123 and 139 thereof, and by adding new sections thereto to be numbered sections 35a and 49a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote—Ayes—6; absent—3.

HART, Chairman.

Senate Bill No. 154 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 205—An act authorizing and instructing the State Controller and the State Treasurer to accept from the directors of the Sixth District Agricultural Association as full satisfaction and in complete compliance with the terms of that certain act entitled, "An act to appropriate money to be used as a revolving fund by the Sixth District Agricultural Association for the purpose of creating, installing and maintaining special exhibitions at Exposition Park, Los Angeles," approved June 1, 1917, the sum of \$114,133.94, in cash already deposited in the State Treasury, and the inventory of permanent improvements made upon the State's property at Exposition Park, Los Angeles, from funds of the revolving fund provided in the above mentioned act—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Judiciary.

Committee membership—11; committee vote—Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 205 re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 675—An act to add a new section to the Civil Code to be numbered 653d, relating to assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and that it be re-referred to the Committee on Judiciary.

Committee membership—11; committee vote—Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 675 re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 400—An act authorizing the Regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote—Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 400 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 657—An act authorizing the creation of a Bureau of Capriculture in the Department of Agriculture; to promote the development of the

California goat industry: to establish standards of sanitation in the conduct of the milk goat industry, and of the chemical and physical properties of goat milk and other goat dairy products used for public consumption, and to provide for the issuance of permits authorizing the conduct of dairies furnishing (selling) goat milk—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to the Committee on Finance.

Committee membership: 11; committee vote: Ayes—10, absent—1.

BOGGS, Chairman.

Senate Bill No. 657 re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rominger to introduce a bill entitled—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership: 5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gadsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Rominger: Senate Bill No. 690—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists.
Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rominger to introduce a bill entitled—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to provide for the formation, organization and classification of new counties, for locating the county seats, for the election and appointment of officers and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Gadsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Rominger: Senate Bill No. 691—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to provide for the formation, organization and classification of new counties, for locating the county seats, and the election and appointment of officers and for the adjustment and fulfilment of the rights and obligations arising between such new counties and other counties," approved March 15, 1907, and as amended.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Senate Bill No. 291 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties;

Also: Senate Bill No. 593—An act amending the Political Code by adding a new section to chapter II, title I, part IV thereof, such section to be numbered 3968, relating to the change of county boundaries;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bills Nos. 220 and 593 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the superior court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the juvenile court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—8; noes—3; absent—3.

JONES, Chairman.

Senate Bill No. 6 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; noes—1; absent—4.

JONES, Chairman.

Senate Bill No. 289 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bill No. 290 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 150—An act to amend section 171 of the Code of Civil Procedure, relating to the prohibition of judges from practicing law;

Also: Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law;

Also: Senate Bill No. 685—An act to amend section 860 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, Chairman.

Senate Bills Nos. 150, 152, and 685 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 29. An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the

erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, statutes of California of 1909, page 948," approved April 10, 1911, statutes of California of 1911, page 860, and approved June 13, 1913, statutes of California, 1913, page 737, and approved May 29, 1915, statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, statutes of California of 1913, page 1429," and approved May 31, 1917, statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, statutes of California of 1917, page 1461—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Senate Bill No. 29 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 23 of article VI, relating to the eligibility of judges for office:

Also: Senate Joint Resolution No. 12—Relative to the employment of war veterans at the soldiers' homes at Sawtelle and at Yountville; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing a State Forester to protect such area.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, strike out the word "a" and in lieu thereof insert the following: "the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the word "land" in line 8, insert the following: "and when in his own opinion such a hazard exists,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 10 to 28, both inclusive, and on page 2 of the printed bill, strike out lines 1 to 4, both inclusive, and in lieu thereof insert the following:

"SEC. 2. The state forester shall prepare proper rules and regulations necessary for the protection of such areas from fire. Such rules shall be published in a newspaper of general circulation in the region where the hazardous fire area exists and notices of such rules and regulations posted on such areas. It shall be unlawful for anyone to disobey any of such rules and regulations which are necessary for the proper protection of such lands from fire, or to build or set any fires thereon without a written permit from a state fire warden."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 5, of the printed bill, strike out the words, "SEC. 4." and in lieu thereof insert the following: "SEC. 3."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 497—An act to amend section 384 of the Political Code, relating to fires.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 1, of the printed bill, strike out the period following the word "maintained" and in lieu thereof insert the following: "; and provided, further, that the requirements of this section shall not apply to logging operations in the redwood region (*Sequoia sempervirens*)."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, after line 13, add the following: "customary use of fires and of powder blasting in logging operations in the redwood region (*Sequoia sempervirens*) nor to the".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the word "redwoods" and in lieu thereof insert the following: "in the redwood region (*Sequoia Sempervirens*)."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry Contingent Fund.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts, and change of boundaries of school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 46—An act to amend section 1 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, on line 1 of the title, strike out the word "section" and insert in lieu thereof the word "sections".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, on line 1 of the title, after the word "one" insert the words "and two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the semi-colon after the word "club" and insert in lieu thereof the following: ", wholly or partly formed from the membership of pupils attending such public schools; or to take part in the organization or formation of any such fraternity, sorority or secret club; and it shall be unlawful for any pupil enrolled as such in any elementary or secondary school of this state to pledge himself or to promise to become a member of any secret fraternity, sorority or club formed from the membership or pupils attending any university or college of this, or any other state;".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519*c*, 1620*d*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

On motion of Senator Boggs, Senate Bill No. 138 was passed on file.

Senate Bill No. 489—An act to repeal section 1617½ of the Political Code, relating to the selling or leasing of school property unoccupied by any public school, by boards of education and boards of trustees of certain school districts and certain union or joint union high school districts; to add a new section to the Political Code to be numbered 1617½, relating to the selling or leasing of real property upon which no public school is being maintained, by boards of education or boards of trustees of any school district or any high school district in the State, of whatever kind or class; and to approve, confirm, ratify and validate all sales or leases of real property upon which no public school was being maintained, heretofore made or purporting to have been made in reliance upon the provisions of said section 1617½ of the Political Code by boards of education or boards of trustees of school districts or of high school districts of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 489 was passed on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

On motion of Senator Hurley, Senate Bill No. 82 was passed on file.

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Senate Bill No. 108 to Senator Murphy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 21, of the printed and amended bill, after the semicolon omit the word "nor" and insert the following: "*provided, however,* that such clerks of election shall be residents and registered voters of the precinct in which they serve, unless at a period not more than five days before the holding of said election it shall be apparent to the county clerk or registrar of voters that there are insufficient applications from registered electors of such precinct to supply the requisite number of clerks for said election; in which event said county clerk or registrar of voters shall be and is hereby empowered to appoint such clerks of election as are necessary from other precincts of said county or city and county. Nor".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 108, with instructions to amend, respectfully reports the same back amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532*a*, relating to the apportionment of State school funds.

On motion of Senator Sharkey, Senate Bill No. 443 was passed on file.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362*f*, relating to the powers of the State Department of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 445 was passed on file.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement

salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.

On motion of Senator Gates, E. J., Senate Bill No. 354 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773 and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777 and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

On motion of Senator Gates, E. J., Senate Constitutional Amendment No. 18 was passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the word "after" and strike out all of line 11 and insert in lieu thereof the word "hereafter"

Amendment adopted.

Ordered to print, engrossment, and file.

Senate Bill No. 517—An act to amend section 5 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforce-

ment of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

On motion of Senator Boggs, Senate Bill No. 517 was passed on file.

Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

On motion of Senator Eden, Senate Bill No. 31 was passed on file.

Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the re-establishment and redefinition of the boundaries of the counties of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 315 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 153—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 153 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 310 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 271—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges.

Re-referred to Committee on Judiciary.

Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 190 passed by the following vote:

AYES—Senators Allen, Arlucke, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and Swing—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knights Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

On motion of Senator Handy, Senate Bill No. 349 was passed on file.

Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing

for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

On motion of Senator Handy, Senate Bill No. 350 was passed on file.

Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district.

On motion of Senator Handy, Senate Bill No. 352 was passed on file.

Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 19 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 77 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following: Assembly Concurrent Resolution No. 11—Relative to entertaining Hon. Samuel M. Shortridge.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

MOTION.

Senator Breed asked that Assembly Concurrent Resolution No. 11 be taken up out of order and without reference to committee.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Bennett, Eden, Gates, De Groot, Gray, Hardy, Hart, Hughes, Harley, Ingram, Johnson, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osbourne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—34.
 NOES—None.

Assembly Concurrent Resolution No. 11 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY BILL—THIRD READING OF SENATE BILLS—
 RESUMED.

Senate Bill No. 412—An act to add a new section to the Penal Code, to be numbered 637k, relating to prohibiting fishing off of dams in California.

On motion of Senator Canepa, Senate Bill No. 412 was passed on file.

Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 11 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Bennett, Eden, Gates, De Groot, Gray, Hardy, Hart, Hughes, Harley, Ingram, Johnson, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osbourne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 313 passed by the following vote:

AYES—Senators Allen, Aronick, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Bennett, Eden, Gotsell, Gray, Hardy, Hart, Hughes, Harley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osbourne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed bill, after the word "of" strike out the word "numerous."

Amendment adopted.

Senate Joint Resolution No. 11 ordered to print, engrossment, and on file.

Senate Joint Resolution No. 2—Relative to the endorsement of the "Lehlach Bill," H. R. No. 13136, providing federal pensions for thirty years of service regardless of the age of the employee.

COMMITTEE AMENDMENTS.

During the reading of the resolution the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title, following the word "relative", all of lines 2, 3 and 4 and insert in lieu thereof the following: "pensions for federal employees who have been in service thirty years or more."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the comma, all of lines 2 to 22, both inclusive, and insert in lieu thereof the following: "It is fundamentally right that federal employees, who have been in the qualified civil service of the United States for a period of thirty years or more, should, regardless of age, be retired from said service, and

WHEREAS, It is equally true that such civil servants reaching a age of sixty-five years, after having rendered at least fifteen years of service, should be retired, in both cases with adequate pensions to insure their proper care during the balance of their lives, and

WHEREAS, The enactment of law to this end will greatly strengthen the civil service of the United States, now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California at its forty-fifth session urges that the Congress of the United States adopt such legislation as will enable this to be done, and be it

Resolved, further, That copies of these resolutions be forwarded by the Secretary of the Senate to the President of the United States, to the Secretary of Labor of the United States and to each member of Congress from the State of California."

Amendment adopted.

Senate Joint Resolution No. 2 ordered to print, engrossment, and on file.

Senate Joint Resolution No. 3—Relative to the endorsement of House Resolution No. 13382: to increase the compensation of customs laborers.

COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title following the word "relative", and all of lines 2 and 3, and insert in lieu thereof the following: "to the compensation of laborers in the United States custom service."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out all of line 1 following the comma, all of lines 2 to 30, both inclusive, and insert in lieu thereof the following: "The Legislature of the State of California believes that the compensation of laborers in the United States Custom Service is inadequate at present, and

WHEREAS, In view of the provisions of existing law the Legislature of the State of California believes that said customs laborers are unjustly discriminated against in the matter of wages; now, therefore, be it

Resolved by the Senate and the Assembly, jointly, That the Legislature of the State of California, at its forty-fifth session, urges that the Congress of the United States, adopt such legislation as may be necessary to increase the compensation of laborers in the United States customs service, to an amount that shall be equitable as compared to the compensation of employees of the United States government in similar positions, and be it

Resolved, further. That copies of these resolutions be made by the Secretary of the Senate and transmitted to the President of the United States, to the Secretary of Labor of the United States, and to each of the California Senators and Representatives in Congress."

Amendment adopted.

Senate Joint Resolution No. 3 ordered to print, engrossment, and on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following Senate constitutional amendment was introduced:

By Senator Gates, E. J.: Senate Constitutional Amendment No. 29—Relative to requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases.

Senate Constitutional Amendment No. 29 referred to Committee on Constitutional Amendments.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Johnson, M. B.:

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Request referred to Committee on Rules.

Also:

By Senator Arbuckle:

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block-books.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—

(RESUMED).

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 23 of article VI, relating to the eligibility of judges for office.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 2 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—35.

NOES—None.

Senate Constitutional Amendment No. 2 ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson, M. B., to introduce a bill entitled—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—35.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Johnson, M. B.: Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Arbuckle to introduce a bill entitled—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block-books—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—34.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Arbuckle: Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block-books.

Bill read first time, and referred to Committee on County Government.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Clerk be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of \$200 for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Darnett, Eden, Gates, Dr. Godson, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Johnson, M. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swang, and West—35.
 NAYS—None.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced in accordance with Assembly Concurrent Resolution No. 11—Relative to appointment of a committee to meet the Hon. Samuel M. Shorthridge upon his arrival in Sacramento, March 21, 1923, and providing for a joint session for the purpose of receiving and greeting him—Senators Breed, Burnett and Chamberlin.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Revision and Printing, to which was referred Senate Concurrent Resolution No. 13—Relative to reports of the department commander of the Grand Army of the Republic—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—3; committee vote: Ayes—3.

GRAY, Chairman.

Senate Concurrent Resolution No. 13 ordered on file.

CONSIDERATION OF DAILY BILL—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 188—An act to authorize the State Board of Control to lease certain land belonging to the State of California, situate in the county of Los Angeles, and providing for the disposition of the moneys received under said leases.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, E. J., moved to refer Senate Bill No. 188 to Senator Breed as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the printed bill, strike out the words "the members" and insert in lieu thereof the words "the chairman".

AMENDMENT NUMBER TWO.

Before the word "under", line 5 of the printed bill, insert the following, "for the production of oil, gas and other hydrocarbons".

AMENDMENT NUMBER THREE.

After the word "oil", line 9 of the printed bill, insert the following ", (comma) gas and other hydrocarbons".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 188, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Gates, E. J., adopted.

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, March 21, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 20, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Harris was, on motion of Senator Dennett, granted leave of absence for this day.

Senator Gates, E. J., was, on motion of Senator Breed, granted leave of absence for this day.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Walter Tuller and Mendell Silverberg of Los Angeles.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to W. J. Hotchkiss of Windsor, Sonoma County.

On request of Senator Gates, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Thomas Selvage of Eureka.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George "Kid" Dowden of the Elks Club, San Francisco.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following pupils of Sutter School:

Reggie Renfree, Floyd Dalbey, Harry Slaughter, Raymond Silva, Orris Smith, Everett Bellani, Joe Moriarty, Frank Milne, Clive Jacinto, Pierre Hassey, Marie Eustis, Lucile Hazen, Mae Grimes, Eleanor Duncan, Bernice Bergquist, William Shattel, Harry Martin, Harvey Johnston, Marie Ruser, Kenneth Haussen, Harold Pfander, Blanche Kelly, Ada Gardner, Florence Bond, Luise Barge, Robert Lambert, Albert Von Kotz, Donald Mardon, Carl Sirvain, Templeron Grimes, Jean Brier, Mary Swezy, Gillette Swartz, Philip Yoerk, Armand Tiller, and Bernard Gallagher.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the class in government and economics of College City High School of Colusa County:

Teacher in charge—Mrs. E. E. Patterson. Pupils—Ellis E. Patterson, Willie May Vann, Mrs. Hubert Vann, Frances M. World, Marguerite Smith, John Hoffman, Norman Bouhvare, and James S. World.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following teachers and pupils of Sutter School:

Teachers—Clota M. Bell and Minnie C. Green. Pupils—Ruby Smith, Doris Paxton, Gladys Myers, Nora McNeill, Evelyn Cutler, Clarice Harber, John Heinrich, Evelyn Brown, Mary Coleman, Andrew Clark, George Walther, Camille King, Dorothy Banta, Lucella Kerr, Lucile Simpson, Wallace Webb, Aniel Garibaldi, Rosa Petrino, Gertrude Hoessel, Anna Burton, Gertrude Landgrebe, Idella McNamara, Evelyn Myhren, Isabell Sindermann, Sadie Zimmerman, Frances Seich, and Vera Beebe.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 20, 1923, adopted Senate Concurrent Resolution No. 15—Approving the charter of the City of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Concurrent Resolution No. 15 ordered to enrollment.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 20, 1923, passed the following:

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms

of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended, relating to riparian lands under lease;

Also: Assembly Bill No. 546—An act to amend section 607e of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals;

Also: Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 112 referred to Committee on Conservation.

Assembly Bill No. 546 referred to Committee on Public Charities and Corrections.

Assembly Bill No. 257 referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 19, 1923, passed Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 93 referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 20, 1923, passed the following:

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway;

Also: Assembly Bill No. 70—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications and the competency of witnesses;

Also: Assembly Bill No. 373—An act to amend section 4300b of the Political Code, relating to sheriff's fees;

Also: Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919.

Also: Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

Also: Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 847 referred to Committee on Roads and Highways.

Assembly Bill No. 70 referred to Committee on Judiciary.

Assembly Bill No. 373 referred to Committee on County Government.

Assembly Bill No. 1016 referred to Committee on Roads and Highways.

Assembly Bill No. 587 referred to Committee on Commerce and Navigation.

Assembly Bill No. 81 referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to the Committee on Finance.

Committee membership—5; committee vote: Ayes—4; absent—1.

HANDY, Chairman.

Senate Bill No. 628 re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 17—relative to leave of absence of E. L. Dow from the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that the resolution be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Senate Concurrent Resolution No. 17 ordered on file.

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 522—An act to amend section 647 of the Civil Code, defining the various classes of securities upon which a building and loan association may invest or borrow:

Also: Senate Bill No. 551—An act to permit and regulate the deposit of money of counties, municipalities and irrigation districts with building and loan associations: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

HANDY, Chairman.

Senate Bills Nos. 522 and 551 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 79—An act making an appropriation for the use of the State Highway Commission to augment the funds available for the completion of the highway between San Bernardino and Needles;

Also: Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada mountains known as the "John Muir Trail" and laterals therefrom;

Also: Senate Bill No. 383—An act to appropriate money for the use of the State Department of Public Works to construct a highway in the county of San Mateo from the Beresford road to South San Francisco;

Also Senate Bill No. 627—An act to provide for the survey and construction of a State highway from Governor's Camp, in the California redwood park, to the coast road at the point where said coast road crosses the divide between Waddell creek and Scott creek, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—11; absent—2.

POWERS, Chairman.

Senate Bills Nos. 79, 116, 383 and 627 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

POWERS, Chairman.

Senate Bill No. 491 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State highway;

Also: Senate Bill No. 275—An act to declare a certain road between Bakersfield and Mojave a State highway and make an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and without recommendation.

Committee membership—13; committee vote: Ayes—11; absent—2.

POWERS, Chairman.

Senate Bills Nos. 305 and 275 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

SWING, Chairman.

Senate Bill No. 45 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 686—An act confirming, ratifying and declaring

valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

RUSH, Chairman.

Senate Bill No. 686 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 193—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

JOHNSON, M. B., Chairman.

Senate Bill No. 193 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

JOHNSON, M. B., Chairman.

Senate Bill No. 416 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

Evelyn Cadle, Assistant Engrossing and Enrolling Clerk. \$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS.

The following resolutions were introduced:

By Senator Breed: Senate Concurrent Resolution No. 18—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California.

Senate Concurrent Resolution No. 18 referred to Committee on Rules.

By Senator Lewis: Senate Constitutional Amendment No. 30—Relative to fiscal year.

Senate Constitutional Amendment No. 30 referred to Committee on Constitutional Amendments.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Sharkey:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation to meet the deficiency in the appropriation for the support of the State Prison at San Quentin for the seventy-third and seventy-fourth fiscal years.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 188—An act to authorize the leasing of certain lands belonging to the State of California containing oil deposits and providing for the disposition of the moneys received under said leases, creating a commission to carry out the provisions of this act and making an appropriation for the purposes hereof—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors;

Also: Senate Bill No. 488—An act to amend section 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i and 2322j of the Political Code, relating to agriculture;

Also: Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases;

Also: Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations;

Also: Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended;

Also: Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole;

Also: Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class;

Also: Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment and Enrollment has examined the following:

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners, to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof:

Also: Senate Bill No. 444—An act to amend section 1513a of the Political Code, relative to the powers and duties of the State Board of Education.

Also: Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State:

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment and Enrollment has examined Senate Bill No. 31—An act to shift and the traveling public and owners by requiring operators of motor vehicles carrying passengers for hire and of school buses and of motor trucks carrying certain inflammable and explosive substances to stop at certain highway crossings and to take other safety precautions, and to prescribe qualifications for such operators, and to prescribe punishment for violation thereof: and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment and Enrollment has examined Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers, and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrassment and Enrollment has examined the following:

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to administer the California State Board of Pharmacy," approved March 20, 1905, as amended:

Also: Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores:

Also: Senate Bill No. 456—An act to repeal sections 3004 and 3005 of the Political Code, relating to the disposition of dead horses, and all other parts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent accumulation and disposal of, and traffic in, human bodies, to preserve the health of animal carcasses, and to promote medical education, and public health, by providing the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act:

Also: Senate Bill No. 497—An act authorizing the creation of a hazardous fire area, preserving what shall not be done within such area and authorizing the State Forester to protect such area:

Also: Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires:

Also: Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a reserve fund and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation, therefore," approved March 18, 1905, as amended:

Also: Senate Bill No. 110—An act declaring insect pests, insect infestations and pine beetles to be a nuisance and providing for the control, eradication, and destruction of said insect pests:

Also: Senate Bill No. 498—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange:

Also: Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry contingent fund:

Also: Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts and names of members of school districts:

Also: Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections;

Also: Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds;

Also: Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 517—An act to amend section 5 and section 7 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended—and reports that the same has been correctly re-engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article 6 thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court;

Also: Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government;

Also: Senate Joint Resolution No. 2—Relative to pensions for federal employees who have been in service thirty years or more;

Also: Senate Joint Resolution No. 3—Relative to the compensation of laborers in the United States customs service;

Also: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature;

Also: Senate Concurrent Resolution No. 13—Relative to reports of the department encampment of the Grand Army of the Republic;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519*a*, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2, of the title page of the printed bill, strike out the words "five hundred nineteen c", and insert in lieu thereof the following reading matter: "seven hundred eighty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "five hundred nineteen c", and insert in lieu thereof the following reading matter: "seven hundred eighty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, strike out all of line 4, all of line 5, and all reading matter up to and including the word "to" in line 6, and insert in lieu thereof the following reading matter: "1780. The county board of education may, on or after the first day of February, nineteen hundred twenty-four, and said board must, on or before the first day of February of each ensuing year".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, lines 10, 11, and 12, strike out the entire sentence beginning "In establishing such rules and regulations", and insert in lieu thereof the following reading matter: "The county board of education shall list as standard school supplies and equipment such supplies and equipment as can be advantageously purchased in quantity."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 18, strike out the word "state", and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 20, strike out the words "five hundred nineteen c", and insert in lieu thereof the following reading matter: "seven hundred eighty".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 1, strike out the word "other", and insert in lieu thereof the words "necessary additional".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 7, strike out the word "state", and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 8, strike out the words "five hundred nineteen c", and insert in lieu thereof the words "seven hundred eighty".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 19, strike out the word "state", and insert in lieu thereof the word "county".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 489 - An act to repeal section 1617½ of the Political Code, relating to the selling or leasing of school property unoccupied

by any public school, by boards of education and boards of trustees of certain school districts and certain union or joint union high school districts; to add a new section to the Political Code to be numbered 1617 $\frac{1}{2}$, relating to the selling or leasing of real property upon which no public school is being maintained, by boards of education or boards of trustees of any school district or any high school district in the State, of whatever kind or class; and to approve, confirm, ratify and validate all sales or leases of real property upon which no public school was being maintained, heretofore made or purporting to have been made in reliance upon the provisions of said section 1617 $\frac{1}{2}$ of the Political Code by boards of education or boards of trustees of school districts or of high school districts of the State.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the entire title of the printed bill and insert in lieu thereof the following:

"An act to approve, confirm, ratify and validate sales and conveyance of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out sections 1, 2, 3 and 4, being all the printed bill after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Any sale and conveyance of real property made after July 30, 1917, and before the passage of this act by any school district or high school district of whatever kind or class, or any board of education or board of trustees or other governing body thereof, or by the board of education of any city (such boards or bodies being hereinafter designated "school authorities"), is hereby approved, confirmed, ratified and validated to all intents and purposes and the power of the district or school authorities selling and conveying such real property to sell and convey the same is hereby acknowledged, granted, ratified, confirmed and declared, and all deeds and other instruments given by any district or school authorities in connection with or as a part of any such sale and conveyance, and all payments, purchase money obligations and instruments, including mortgages and deeds of trust, given by the purchaser of any such real property in connection with or as a part of any such sale and conveyance are hereby ratified, approved, confirmed and declared to be legal and binding notwithstanding any want of power of the district or school authorities selling and conveying such real property to sell and convey the same, or any invalidity or irregularity in or affecting the proceedings for any such sale and conveyance: *provided*, that such property was sold at public sale or competition following notice, fixing a time and place within the district for such sale and describing or identifying the property sold, given by the district or school authorities and either posted in a public place within the district at least five days before the sale, or published at least once at least five days before the sale in a newspaper of general circulation published in the district wherein said property was situated."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35a and 49a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 18, line 18, of the printed bill, strike out the word "of" after the word "San Francisco", and insert in lieu thereof the words "or by".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the words "through the agricultural experiment station".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the words "black scale, red scale and other".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill after the comma following the word "crops," insert the words "and livestock".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, lines 22, 23 and 24, strike out the words "including a synopsis of all findings, orders, judgments and decrees of said juvenile court."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, of the printed bill, strike out all of lines 13 to 19 inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 20, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 34, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "5".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, strike out lines 3 to 8 inclusive, of the printed bill, and insert in lieu thereof the following:

"3968. Whenever a question arises between two or more counties as to the exact location of an existing boundary line, or lines, between said counties, the boards of supervisors of said counties may agree upon the exact location of said existing boundary line or lines, as the case may be, and they shall each adopt an ordinance setting forth the boundaries of their respective counties as they shall have agreed the boundaries to exist."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the Superior Court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the Juvenile Court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "one", and insert in lieu thereof the word "three", and strike out the word "judge", and insert the word "judges".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, strike out the words "one judge", and insert in lieu thereof the words "three judges".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 20, strike out the word "of" where it first appears after the word "and" and insert in lieu thereof the word "or", and strike out the "." after the word "the".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 11, insert a comma instead of a period at the end of the line, and add the words "where minor children are involved."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 15, after the word "cases" at the end of the line, strike out the period and insert the words "involving minors."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved

April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 150—An act to amend section 171 of the Code of Civil Procedure, relating to the prohibition of judges from practicing law.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 685—An act to amend section 860 of the Penal Code relating to examinations before committing magistrates and filing of informations by the district attorney.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California,

including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, statutes of California of 1909, page 948," approved April 10, 1911, statutes of California of 1911, page 860, and approved June 13, 1913, statutes of California, 1913, page 737, and approved May 29, 1915, statutes of California, page 952, and all acts amendatory.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 28, of the printed bill, commencing with the word "maintenance" strike out to and including the word "occupancy" on the same line, and insert in lieu thereof the words "sanitation and ventilation".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 34, of the printed bill, after the word "counties" and before the comma insert the words "and counties".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 35, of the printed bill, strike out the word "a" after the word "exists" and insert in lieu thereof the words "an officer or".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 9, of the printed bill, after the word "building" and before the word "not" insert the following words "or structure".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 13, of the printed bill, strike out from and including the word "except" to and including the "period" after the word "made" on line 14 of the same page, and insert in lieu thereof the following "*provided, however,* that in the case of a wooden building erected for use as a dwelling house prior to the passage of this act which is hereafter altered or converted for use as an apartment house or hotel the provisions of this act regarding metal lath shall apply only to additions thereto and to the new work therein or portion of said building which is renewed; *provided, further,* that the above exemption shall not apply to wooden buildings erected for use as dwelling houses subsequent to the passage of this act."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 16, of the printed bill, commencing at the word "at" strike out to and including the word "act" on same line.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 24, of the printed bill, strike out the word "value" and insert in lieu thereof the words "physical proportion".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 29, of the printed bill, before the word "guest" insert the word "and".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 36, of the printed bill, and the beginning of line 37, after the word "all" on line 36 and before the word "house" on line 37, strike out the word "compartment" and insert in lieu thereof the word "apartment".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 36, of the printed bill, after the word "hotel" strike out from and including the word "which" to and including the "comma" before the word "or" on the same line.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7, line 39, of the printed bill, commencing at the word "a" after the word "deemed" strike out the following words "a nuisance" and insert in lieu thereof the following words "an unlawful structure, and the department of health, or the department charged with the enforcement of this act may cause such building to be vacated, and such building shall not again be occupied until it or its occupancy, as the case may be, has been made to conform with the law."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 44, of the printed bill, after the word "enter" strike out the word "buildings" and insert in lieu thereof "hotels or apartment houses".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 52, of the printed bill, after the word "enter" strike out the word "buildings" and insert in lieu thereof "apartment houses or hotels".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, line 9, of the printed bill, commencing with the word "Provided" strike out to and including the period after the word "orders" at the end of line 19 on the same page.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8, line 23, of the printed bill, at the end of the line, strike out the three asterisks.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 8, line 49, of the printed bill, strike out from and including the "comma" after the word "act" at the end of line 49 down to and including the period after the word "act" at the end of line 5 of page 9, and insert in lieu thereof the following: "provided, however, that should any material, appliance, appurtenance, or other matter, not meet the requirements and approval of said department then in that event any material, appliance, appurtenance, or other matter which conforms to the requirements of, and bears the approval of the "National Board of Fire Underwriters," or the "Underwriters' Laboratories, Inc." shall be deemed approved."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 25, of the printed bill, after the word "of" and before the word "terra" strike out the word "either".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 10, line 25, of the printed bill, at the end of the line, after the word "tile" insert the word "or".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 10, line 27, of the printed bill, after the word "lath" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 10, line 29, of the printed bill, after the word "thick" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 10, line 32, of the printed bill, after the word "transoms" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 12, line 26, of the printed bill, after the word "in" and before the word "house" strike out "a tenement" and insert in lieu thereof "an apartment".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 43, of the printed bill, after the word "materials" and before the word "hereinbefore" insert the words "and in the same manner".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 13, line 49, of the printed bill, commencing at the word "provided" after the semicolon strike out to and including the word "renewed" of line 2, page 14, and insert in lieu thereof the following words "*provided, however, that in the case of a wooden building erected for use as a dwelling house prior to the passage of this act which is hereafter altered or converted for use as an apartment house or hotel the provisions of this act regarding metal lath shall apply only to additions thereto and to the new work therein or portion of said building which is renewed provided, further, that the above exemption shall not apply to wooden buildings erected for use as dwelling houses subsequent to the passage of this act.*"

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 14, line 27, of the printed bill, after the word "passageway" and before the word "not" strike out the word "may" and insert in lieu thereof the word "need".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 15, line 11, of the printed bill, commencing at the word "No" strike out to and including the period at the end of line 19, same page, and insert in lieu thereof the following: "No wooden building or structure not intended or designed when erected for use as an apartment house or hotel, or wooden apartment house or hotel, shall be altered or converted for use as an apartment house or hotel except it conform to the provisions of this act regarding converted or altered buildings or structures contained in section 5 of this act or in any manner so that it contains more than three stories occupied or intended or designed to be occupied for living and sleeping purposes, nor shall any fireproof or semi-fireproof building or structure be altered or converted for use as an apartment house or hotel unless it conforms to the provisions of section 5 of this act regarding altered or converted buildings or structures."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 15, line 31, of the printed bill, after the word "the" and before the word "house" strike out the word "tenement" and insert in lieu thereof the word "apartment".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 15, line 39, of the printed bill, after the word "parts" strike out the following words: "not less than seventy-five per cent".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 15, line 42, of the printed bill, after the comma following the word "building" and before the word "such" strike out the word "and" and insert in lieu thereof the word "but".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 15, line 43, of the printed bill, strike out the comma after the word "windows", and at the end of the line, after the word "such" insert the word "added".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 15, line 49, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following words: "provided, that in no event shall any bay window project into any part of the minimum unoccupied rear yard space required by the provisions of this act to be unoccupied and in no event shall the minimum depth of yard required for the building be diminished or encroached upon."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 16, line 51, of the printed bill, after the word "line" insert the following words "as determined by the height of the hotel building in stories in which there are guest rooms".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 17, line 3, of the printed bill, after the word "court" insert the following words "as determined by the height of the hotel building in stories in which there are guest rooms".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 17, line 13, of the printed bill, after the word "passageway" and before the word "not" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 17, line 14, of the printed bill, after the word "width" and before the word "nor" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 17, line 17, of the printed bill, after the word "materials" and before the word "or" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 17, line 20, of the printed bill, after the word "iron" and before the word "on" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 19, line 40, of the printed bill, after the word "count" and before the word "in" insert the following "and vent shaft".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 19, line 45, of the printed bill, after the word "area" and before the word "hereinafter" strike out the word "that" and insert in lieu thereof the word "than".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 20, line 9, of the printed bill, after the word "stories" and before the word "feet" strike out the figure "6" and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 20, line 10, of the printed bill, after the word "stories" and before the word "feet" strike out the figure "8" and insert the figure "10".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 20, line 27, of the printed bill, after the word "feet" and before the second word "feet" strike out the figure "11" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 20, line 28, of the printed bill, after the word "feet" and before the second word "feet" strike out the figure "12" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 20, line 29, of the printed bill, after the word "feet" and before the second word "feet" strike out the figure "13" and insert in lieu thereof the figure "12".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 20, line 30, of the printed bill, after the word "feet" and before the second word "feet" strike out the figure "14" and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 20, line 31, of the printed bill, after the word "feet" and before the second word "feet" strike out the figure "15" and insert in lieu thereof the figure "14".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 21, line 5, of the printed bill, after the word "as" and before the word "set" strike out the word "hereinafter" and insert in lieu thereof "hereinafter".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 21, line 16, of the printed bill, after the word "as" and before the word "set" strike out the word "hereinabove" and insert "hereinafter".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 21, line 22, of the printed bill, after the word "solidly" and before the word "not" strike out the word "and" and insert in lieu thereof the word "with".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 24, line 16, of the printed bill, after the word "similar" and before the word "structural" insert the word "necessary".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 24, line 17, of the printed bill, after the word "least" and before the word "per" strike out the word "ninety" and insert in lieu thereof the word "sixty-five".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 24, line 36, of the printed bill, after the word "erected" and before the word "and" insert a "semi-colon".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 25, line 5, of the printed bill, after the word "house" strike out the word "or" and insert in lieu thereof a "comma".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 25, line 5, of the printed bill, after the word "hotel" insert the words "or dwelling".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 26, line 6, of the printed bill, commencing at the word "Any" strike out to and including the "period" after the word "section" at the end of line 11, same page.

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 27, line 36, of the printed bill, after the word "or" and before the word "thereof" strike out "fractional part" and insert in lieu thereof "major fraction".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 27, line 43, of the printed bill, after the word "house" and before the word "erected" insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 27, line 43, of the printed bill, strike out from and including the word "prior" down to and including the word "act" on line 44 of the same page.

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 28, line 1, of the printed bill, strike out from and including the word "erected" to and including the word "act" on same line and insert in lieu thereof the words "heretofore erected".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 28, line 22, of the printed bill, after the word "building" and before the word "erected" insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 28, line 23, of the printed bill, strike out from and including the word "prior" to and including the word "act" on same line.

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 28, line 31, of the printed bill, after the word "building" and before the word "erected" insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 28, line 31, of the printed bill, strike out from and including the word "prior" to and including the word "act", on same line.

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 29, line 13, of the printed bill, after the word "house" and before the word "erected" insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 29, line 13, of the printed bill, strike out from and including the word "prior" to and including the word "act", line 14, same page.

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 29, line 20, of the printed bill, after the word "hotel" and before the word "erected" insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 29, line 20, of the printed bill, strike out from and including the word "prior" to and including the word "act" on same line.

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 29, line 43, of the printed bill, after the word "building" and before the word "erected" insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 29, line 43, of the printed bill, after the word "erected" strike out from and including the word "prior" to and including the word "act", same line.

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 29, line 45, of the printed bill, after the word "or" and before the word "erected" insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 29, line 45, of the printed bill, strike out from and including the word "prior" to and including the "comma" after the word "act" on line 46, of the same page.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 30, line 41, of the printed bill, after the word "existing" strike out the word "building" and insert in lieu thereof "apartment house and hotel".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 33, line 50, of the printed bill, after the word "such" and before the word "house" strike out the word "tenement" and insert in lieu thereof the word "apartment".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 34, line 34, of the printed bill, after the word "same" strike out the period and insert in lieu thereof the following: "except it be equipped with a counterbalanced or permanent ladder which reaches the ground."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 36, line 49, of the printed bill, before the word "In" at the beginning of said line insert the following "SEC. 51."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 44, line 44, of the printed bill, after the period following the word "cross-bridging" at the end of said line, insert the following paragraph: "All dimensions of lumber mentioned in this act are substantially the dimensions thereof when manufactured from the log, subject however, to customary slight variations. It is understood that these dimensions when the lumber is used in a building may be reduced by the processes of seasoning, of sizing and of planing and that the dimensions mentioned in this act if so reduced by said processes to the customary commercial sizes thereof shall be nevertheless considered as fulfilling the requirements of this act."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 45, line 35, of the printed bill, commencing at the letter (c) strike out the paragraph down to and including the period after the word "section" at the end of line 37, same page.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 46, line 6, of the printed bill, after the word "hotel" at the end of the line, insert the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 46, line 7, of the bill, after the word "erected" strike out from and including the word "prior" to and including the word "act" on same line.

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 46, line 13, of the printed bill, after the word "hotels" and before the word "erected" insert the following word "heretofore".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 46, line 13, of the printed bill, strike out from and including the word "prior" to and including the word "act" on line 14, same page.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 47, line 48, of the printed bill, after the word "and" and before the word "with" strike out the word "surface" and insert in lieu thereof the word "surfaced".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Senate Bill No. 82 to Senator Ingram, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 14, of the printed bill, after the "semi-colon" following the word "cosmeticians" strike out the following words: "provided that in no barber shop shall there be more than one apprentice to two barbers authorized under this act to practice said occupation;"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 82, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Special Committee.

Report read, and on motion of Senator Hurley, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

In the absence of the author, Senate Bill No. 108 was passed on file.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532*a*, relating to the apportionment of State school funds.

On motion of Senator Sharkey, Senate Bill No. 443 was passed on file.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362*f*, relating to the powers of the State Department of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 445 was passed on file.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.

In the absence of the author, Senate Bill No. 354 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

In the absence of the author, Senate Constitutional Amendment No. 18 was passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature.

In the absence of the author, Senate Constitutional Amendment No. 6 was passed on file.

Senate Bill No. 517—An act to amend section 5 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 517 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 31 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knights Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

On motion of Senator Handy, Senate Bill No. 349 was passed on file.

Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

On motion of Senator Handy, Senate Bill No. 350 was passed on file.

Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district, and of proceedings to determine legality of district.

On motion of Senator Handy, Senate Bill No. 352 was passed on file.

Senate Bill No. 412—An act to add a new section to the Penal Code, to be numbered 637½, relating to prohibiting fishing off of dams in California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 412 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Senate Joint Resolution No. 11 ordered transmitted to the Assembly.

Senate Joint Resolution No. 2—Relative to the endorsement of the "Leblbach Bill," H. R. No. 13136, providing federal pensions for thirty years of service regardless of the age of the employee.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Senate Joint Resolution No. 2 ordered transmitted to the Assembly.

Senate Joint Resolution No. 3—Relative to the endorsement of House Resolution No. 13382: to increase the compensation of customs laborers.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Joint Resolution No. 3 ordered transmitted to the Assembly.

Senate Bill No. 188—An act to authorize the State Board of Control to lease certain land belonging to the State of California, situate in the county of Los Angeles, and providing for the disposition of the moneys received under said leases.

Bill read third time previously.

Section 4 setting forth the urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 188 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senator Murphy—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 34 passed by the following vote:

AYES—Senators Allen, Arbuckle, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—32.

NOES—Senators Gray, McDonald, and Swing—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 488—An act to amend section 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i and 2322j of the Political Code, relating to agriculture.

On motion of Senator Osborne, Senate Bill No. 488 was passed on file.

Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government

of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

In the absence of the author, Senate Bill No. 462 was passed on file.

Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 14 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 309 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein; also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 435 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 308 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27 and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

On request of Senator Swing, Senate Bill No. 211 was re-referred to Committee on Municipal Corporations.

Senate Bill No. 169—An act to amend section 602 of the Political Code, relating to corporations sole.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 169 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and West—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 526 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Powers moved to refer Senate Bill No. 274 to Senator Handy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 41, of the printed bill, strike out the word "may" and in lieu thereof insert the following: "shall".

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, strike out lines 46 to 52, both inclusive, and on page 7 of the printed bill, strike out lines 1 to 17, both inclusive, and in lieu thereof insert the following:

"19. In counties of this class the official phonographic reporter of the superior court shall receive the sum of two thousand four hundred dollars per annum, which shall be in lieu of all compensation for any services rendered to the county: *provided*, that for transcribing his notes when ordered or required by law he shall be allowed in addition to said salary such fees as are now or may hereafter be allowed by law. In civil cases he shall receive such fees as are now or may be hereafter allowed by law and all amounts received per diem in civil cases shall be paid into the county treasury. The salary of the reporter shall be paid out of the county treasury in the same manner as other county officers are paid."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 274, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Powers, adopted.

Bill ordered to print, and re-engrossment.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water: providing also the number, qualifications, method of appointment and tenure of office of members of the court: providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence: providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Concurrent Resolution No. 13—Relative to reports of the department encampment of the Grand Army of the Republic.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 13 adopted by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Senate Concurrent Resolution No. 13 ordered transmitted to the Assembly.

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

In the absence of the author, Senate Bill No. 192 was passed on file.

Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 598 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Donnett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 456 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out the title and insert in lieu thereof the following: "An act to prevent the unauthorized use and disposition of, and traffic in, human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections three thousand ninety-four and three thousand ninety-five of the Political Code and all other acts or portions of acts in conflict with this act."

AMENDMENT NUMBER TWO.

On page 3, after line 8, add the following:

"SEC. 8. Sections three thousand ninety-four and three thousand ninety-five of the Political Code, and all other acts or portions of acts in conflict with this act, are hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 456, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing a State Forester to protect such area.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 407 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 497—An act to amend section 384 of the Political Code, relating to fires.

Bill read third time.

On motion of Senator Ingram, Senate Bill No. 497 was passed on file.

Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended.

On motion of Senator Ingram, Senate Bill No. 498 was passed on file.

Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

On motion of Senator Ingram, Senate Bill No. 119 was passed on file.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

On motion of Senator Ingram, Senate Bill No. 408 was placed on file.

Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry Contingent Fund.

On motion of Senator Powers, Senate Bill No. 424 was passed on file.

Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts, and change of boundaries of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 499 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 395 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 396 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Gates, Dr., Godsfil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 46—An act to amend section 1 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

On motion of Senator Creighton, Senate Bill No. 46 was passed on file.

SECOND READING—SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20a, providing for the alteration of the boundaries of drainage districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, line 48, of the printed bill, after the word "Outstanding" insert the words "Bonds or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 3, of the printed bill, after the word "Said" insert the words "Bonds or".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Godsil:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the Capitol grounds and used by the Division of Printing of the Department of Finance.

Request referred to Committee on Rules.

By Senator Lyon (by request):

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add a new section to the Political Code, to be numbered 4426a, relating to the physical examination and quarantine of arrested persons.

Request referred to Committee on Rules.

By Senator Godsil:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

Request referred to Committee on Rules.

APPROVAL OF JOURNALS.

On motion of Senator Breed, Senate Journals of Monday, March 5, Tuesday, March 6, Wednesday, March 7, Thursday, March 8, and Friday, March 9, were approved as corrected.

RECESS.

At one o'clock p.m., on motion of Senator Jones, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MOTION.

On motion of Senator Breed the Senate recessed for the purpose of meeting with the Assembly in joint session to welcome Honorable Samuel M. Shortridge, junior Senator from California.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 21, 1923.

At two o'clock and fourteen minutes p.m., the Senate and Assembly met in Joint Convention pursuant to Assembly Concurrent Resolution No. 11.

ASSEMBLY CONCURRENT RESOLUTION No. 11.

Relative to entertaining Hon. Samuel M. Shortridge.

WHEREAS, The Governor has been advised that United States Senator Samuel M. Shortridge will arrive in Sacramento tomorrow upon his return from Washington; now, therefore, be it

Resolved, That a joint committee consisting of three members of the Senate to be appointed by the Lieutenant Governor, and three members of the Assembly to be appointed by the Speaker, be delegated to meet United States Senator Samuel M. Shortridge upon the arrival of the overland limited train on March 21, 1923, and escort him to the Legislature. Be it further

Resolved, That upon the arrival of Senator Shortridge, that the Senate and the Assembly meet in joint session for the purpose of receiving and greeting him.

Lieutenant Governor C. C. Young, President of the Senate, and Hon. Frank F. Merriam, Speaker of the Assembly, presiding.

The President of the Senate declared a quorum of the Senate present.

The Speaker of the Assembly declared a quorum of the Assembly present.

REPORT OF SELECT COMMITTEE.

Senators Breed, Burnett and Chamberlin appeared at the bar of the House and announced to the Speaker of the Assembly the presence of His Excellency Friend Wm. Richardson, Governor of the State of California.

At the invitation of Hon. Frank F. Merriam, Speaker of the Assembly, the Governor was escorted to the platform by the following committee: Senators Breed, Burnett and Chamberlin.

REPORT OF SELECT COMMITTEE.

Assemblymen Baker, Edwin; Broughton, and Johnston, J. W., appeared at the bar of the House and announced to the President of the Senate the presence of Hon. Samuel M. Shortridge, junior United States Senator from California.

At the invitation of Hon. C. C. Young, President of the Senate, the Hon. Samuel M. Shortridge, junior United States Senator from California, was escorted to the platform by the following committee: Assemblymen Baker, Edwin; Broughton, and Johnston, J. W.

PRESIDENT PRO TEMPORE INVITED TO PLATFORM.

On invitation of Hon. Frank F. Merriam, Speaker of the Assembly, Hon. Arthur H. Breed, President pro tempore of the Senate, was called to the platform.

ADDRESS BY GOVERNOR FRIEND WM. RICHARDSON.

Upon invitation by the Speaker of the Assembly, Governor Friend Wm. Richardson addressed the Joint Convention.

ADDRESS BY UNITED STATES SENATOR SHORTRIDGE.

Upon invitation by the President of the Senate, United States Senator Samuel M. Shortridge addressed the Joint Convention.

ADJOURNMENT.

There being no further business, at three o'clock and two minutes p.m., the President of the Senate adjourned the Joint Convention sine die.

IN SENATE.

RECONVENED.

At three o'clock and five minutes p.m., the Senate reconvened.

President C. C. Young in the chair.

Secretary Joseph A. Beek at the desk.

ADJOURNMENT.

At three o'clock and six minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Thursday, March 22, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 21, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Seth Millington, Jr., of Colusa.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Jas. Lawless and Mrs. S. J. Hayes of San Francisco, and Hon. John T. Williams, United States District Attorney.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following teachers and pupils of Napa Union High School:

Principal—Osman R. Hull. Teachers—Mabel R. Harrison and Mrs. O. R. Hull. Pupils—Keller S. Risby, James Mackenzie, Theodore Marvis, Fred Foster, Horace Craigie, Amy Butler, Virgil Boudreau, Wallace Innie, Mary Griffiths, Arthur Beard, Earle Van De Vere, Elizabeth Stewart, Walter Gallraith, Albert Bergstrom, Ruth Butler, Muriel Souier, Ellen Flanagan, Vera Chapman, Dixie Chiles, Norma Kitto, Marian Curtis, Clara Sohl, Lydia Tallman, Muriel Van Pelt, Verona Steere, Josephine Campbell, Irene Tallman, Dortheia Newcomb, Mrs. Castor, Theodore Smith, and Doris Moyer.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following teachers and pupils of Sutter School:

Teacher—Cleta M. Bell. Pupils—Carolyn Anderson, Evelyn Podd, Helen Herbert, Bernice Klaber, Iola Wehr, Dorothy Flammer, Lucille McCubbin, Audrey Stoppelworth, Dorothy McCown, Genevieve McCulloch, Henry Gesswein, Paul Vicari, Robert Parks, Merrill Silva, John Odgers, John Marino, Elsie Hanby, Kenneth Kemmerley, Eugene Blankinship, Grace Young, Emma Bauer, Myrtes Lloyd, Frances Lyon, Doris Messner, Genevieve Meiss, Margaret Harrison, Elizabeth Keelner, Robert Shattuck, Wilfred Meyer, Martin Mortensen, Harold Mase, Herbert Mase, Lionel Wilburton, and Willis Stewart.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following teachers and pupils of Roseville Union High School:

Teacher—Miss Anita Nielsen. Pupils—Wadsworth Parrish, Frank Nunes, Jerome Perry, Leland Hurley, Horace Cox, William La Due, Marie Giudici, Charlotte Eichhorn, Pauline Abernathy, Aili Wickman, Clark Hellar, Hilda Coppin, Elder Burke, Paul Hewitt, Robert Cryder, Sanji Sugawara, Lawrence Roins, William Butler, Katherine Fredericks, Dorothy Misphey, Vivian Sprague, and Willard Dietrich.

PETITION.

The following petition was presented by Senator McDonald, and ordered printed in the Journal:

I favor the new pension law as presented by the San Francisco Teachers Association and endorsed by the legislative committee of the California Teachers Association, Senate Bill No. 127.

VAN L. DENTON.

And 53 others.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 22, 1923.

To the Senate of the State of California.

I have the honor to inform your honorable body that I have this day appointed George D. Squires, Insurance Commissioner, vice E. C. Cooper, appointment withdrawn. I respectfully ask the consent of the Senate to the above named appointment.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, dis-

position, and sale of hydroelectric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Senate Bill No. 272 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; noes—4.

MURPHY, Chairman.

Senate Bill No. 194 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 373—An act to amend section 43004 of the Political Code, relating to sheriff's fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 373 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 693—An act to amend section 4218 of the Political Code relating to the making of maps and assessment block books—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 693 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 333 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Lyon, to introduce a bill entitled—An act to add a new section to the Political Code, to be numbered 4426a, relating to the physical examination and quarantine of arrested persons—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Ains, Arnold, Briggs, Bond, Brewster, Coffey, Crocker, Cushing, Farnsworth, Hahn, Jones, Le, O'Connell, Quinn, Harry, Hart, Hughes, Lammie, Johnson, M. B. Jones, Lewis, Lyles, McIlwain, Moore, Newsum, Osborn, Powers, Smith, Sargent, Sargent, Sargent and Sargent, 31.
 NAYS—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Lewis: Senate Bill No. 694—An act to add a new section to the Penal Code, to be numbered 4426a, relating to the physical examination and classification of arrested persons.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON REYES.

SENATE CHAMBER, SACRAMENTO, MARCH 22, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sargent to suspend a bill pending, do not making an appropriation to meet the expenses in the appropriation for the support of the State Prison at San Quentin for the seventy-third and seventy-fourth fiscal years, but the same being insufficient to meet the same, and respectfully requests the same and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Ains, Arnold, Briggs, Bond, Brewster, Coffey, Crocker, Cushing, Farnsworth, Hahn, Jones, Le, O'Connell, Quinn, Harry, Hart, Hughes, Lammie, Johnson, M. B. Jones, Lewis, Lyles, McIlwain, Moore, Newsum, Osborn, Powers, Sargent, Sargent, Sargent and Sargent, 31.
 NAYS—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Sharkey: Senate Bill No. 695—An act making an appropriation to meet the expenses in the appropriation for the support of the State Prison at San Quentin for the seventy-third and seventy-fourth fiscal years.

Bill read first time, and referred to Committee on Finance.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON REYES.

SENATE CHAMBER, SACRAMENTO, MARCH 22, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sargent to suspend a bill pending, do not making an appropriation to meet the expenses in the appropriation for the support of the State Prison at San Quentin for the seventy-third and seventy-fourth fiscal years, but the same being insufficient to meet the same, and respectfully requests the same and recommends that the request be granted.

or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18th, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

The following bill was introduced:

By Senator Godsil: Senate Bill No. 696—"An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

Bill read first time, and referred to Committee on Fish and Game.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Godsil to introduce a bill entitled "An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—35.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Godsil: Senate Bill No. 697—"An act authorizing the Board of Control to sell and dispose of the buildings belonging to the

State located on the capitol grounds and used by the Division of Printing of the Department of Finance.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof:

Also: Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45, and 52 thereof:

Also: Senate Bill No. 538—An act to add a new section, to be numbered section 467a, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations:

Also: Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

INMAN, Chairman.

Senate Bills Nos. 434, 482, 538 and 540 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 327 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 460—An act appropriating money for the furnishing and equipment of the University high school in the city of Oakland:

Also: Senate Bill No. 586—An act appropriating money for the construction of additional stacks for the university library on the grounds of the University of California at Berkeley:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—6; absent—3.

WEST, Chairman.

Senate Bills Nos. 460 and 586 re-referred to Committee on Finance.
Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 585—An act appropriating money to be used toward the purchase of land for agricultural laboratory purposes near the grounds of the University of California at Berkeley:

Also: Senate Bill No. 577—An act to provide readers for blind students in the University of California and other colleges and to assist deaf students attending the National College for the Deaf at Washington, D. C., and making appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—6; absent—3.

WEST, Chairman.

Senate Bills Nos. 585 and 577 re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following message from the Governor:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, March 22, 1923.

To the Senate of the State of California.

I have the honor to inform your honorable body that I have this day appointed George D. Squires Insurance Commissioner, vice E. C. Cooper, appointment withdrawn. I respectfully ask the consent of the Senate to the above named appointment.

Respectfully submitted.

(Signed)

FRIEND WM. RICHARDSON, Governor.

Has had the same under consideration, and respectfully reports the same back, and recommends that the Senate advise and consent to the above appointment.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Breed moved that the Senate advise and consent to the appointment by the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of George D. Squires of San Francisco, Insurance Commissioner, vice E. C. Cooper, appointment withdrawn?"

The roll was called with the following result:

AYES—Senators Allen, Arluckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of George D. Squires of San Francisco, Insurance Commissioner, vice E. C. Cooper, appointment withdrawn.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 21, 1923, adopted Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Joint Resolution No. 19 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 21, 1923, passed the following:

Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court:

Also: Assembly Bill No. 619—An act to amend section 1808 of the Code of Civil Procedure, relating to the entry of order appointing guardian;

Also: Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts;

Also: Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases;

Also: Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county;

Also: Assembly Bill No. 1149—An act to amend section 633a of the Political Code, relating to licensing of insurance and surety brokers;

Also: Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure, to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict.

ARTHUR A. OLLINUMS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 495 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 619 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 632 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1213 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 369 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1149 read first time, and referred to Committee on Insurance.

Assembly Bill No. 298 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 21, 1923, passed the following:

Assembly Bill No. 390—An act to amend section 1537 of the Penal Code, relating to accounts for returning fugitives upon extradition;

Also: Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty;

Also: Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale;

Also: Assembly Bill No. 1160—An act to repeal section 1511b of the Penal Code, relating to the viewing of the body by a coroner's jury;

Also: Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses;

Also: Assembly Bill No. 1162—An act to amend section 1540 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

ARTHUR A. OLLINUMS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 390 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 603 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 607 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1160 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1161 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1162 read first time, and referred to Committee on Judiciary.

RESOLUTION.

The following resolution was offered:

By Senator Crowley:

WHEREAS, The practice among Christians of setting apart the hours from twelve to three on Good Friday for devotion having obtained so largely in California, that it would seem but right not only to favor such hallowed practice, but also to give opportunity to all who desire to recall during these hours the mystery which Christians celebrate; be it

Resolved, That it is the sense of the Senate of the State of California that recess be taken from twelve to three o'clock on Friday, March 30th, to enable all who wish to participate in the exercises which mark these hours so notable in the world's history.

Resolution adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS.

The following resolution was introduced:

By Senator Sharkey: Senate Joint Resolution No. 15—Relative to industrial disputes.

Senate Joint Resolution No. 15 referred to Committee on Federal Relations.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS.

Senate Bill No. 522—An act to amend section 647 of the Civil Code, defining the various classes of securities upon which a building and loan association may invest or borrow.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 551—An act to permit and regulate the deposit of money of counties, municipalities and irrigation districts with building and loan associations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the period, insert the following: "Said board of directors shall tentatively fix the route of the proposed district highway, determine the approximate total cost thereof, and the portion thereof that should be borne by each county respectively. The board shall make and file a copy of said report with the board of supervisors of each of the counties affected. Within ninety days of the receipt of such report, each board of supervisors shall adopt or reject the proposal for formation of the joint highway district. Failure of a board of supervisors to act within said time shall be deemed a rejection. A certified copy of each such ordinance shall be forthwith transmitted to the board which initiated the proceedings, whereupon the latter board shall make a finding as to the final approval or disapproval of the formation of the district, and notify the clerks of the several counties as to the result. In case the several boards vote in favor of formation of the district, a certified copy of such notice of finding shall be filed with the Secretary of State, whereupon the said joint highway district shall be deemed created and organized, and shall exercise all the powers granted by this act, and shall be a public corporation under the designation of "Joint highway district No. of the State of California." Districts shall be numbered in the order of their creation."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State highway.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "depart" and all of line 8, down to and including the word "highways" and insert in lieu thereof the words: "California Highway Commission."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out all of the line, down to and including the word "highways" and insert in lieu thereof the words: "California Highway Commission."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 275—An act to declare a certain road between Bakersfield and Mojave a State highway and make an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 1 following the word "road", all of lines 2 to 21, both inclusive, and insert in lieu thereof the following: "now existing in the county of Kern, beginning at a point in the present Bakersfield-Mojave highway, known as engineers station 1347 + 00, according to the records of the Kern county highway commission, from which point the northeast corner of section three (3), township thirty-one (31) south, range thirty-one (31) east, Mount Diablo base and meridian, bears north thirty-seven degrees forty-one minutes east one thousand eight hundred six feet, and from which point an oak tree bears north sixty-two degrees forty-six minutes west, two hundred three feet, and running thence north seventy degrees nineteen minutes west, two hundred ninety and twenty-four hundredths feet, thence on and along a circular curve of three hundred feet, radius concave to the south a distance of two hundred seventeen and forty-seven hundredths feet, thence south sixty-eight degrees nine minutes west, two hundred eighty-six and forty-eight hundredths feet, thence on and along a circular curve of four hundred feet radius concave to the southeast a distance of one hundred seventy-two and twenty hundredths feet, thence south forty-three degrees twenty-nine minutes west, three hundred four and thirty-six hundredths feet, thence on and along a circular curve of eight hundred feet radius concave to the northwest a distance of one hundred eighteen and sixty-eight hundredths feet, thence south fifty-one degrees fifty-nine minutes west, four hundred forty-three and fifty hundredths feet, thence on and along a circular curve of eight hundred feet radius concave to the northwest a distance of one hundred one and forty-six hundredths feet, thence south fifty-nine degrees fifteen minutes west, four hundred forty-six and twenty-four hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the north a distance of one hundred ninety-seven feet, thence north sixty-four degrees nineteen minutes west, nine hundred ninety-four and eighty-one hundredths feet, thence north sixty-eight degrees forty-nine minutes west, nine hundred thirty-one and ninety-five hundredths feet, thence on and along a circular curve of one thousand feet radius concave to the south a distance of two hundred seventy-six and ninety-three hundredths feet, thence north eighty-four degrees forty-one minutes west, three hundred and six-tenths feet to a point on the east boundary fence of the Rancho El Tejon which point lies south forty-six degrees forty-four minutes west, two thousand three hundred eighty feet from the intersection of said east boundary with north boundary of said section three, thence north eighty-four degrees forty-one minutes west, seventy-four and thirty-six hundredths feet, thence on and along a circular curve of eight hundred feet radius concave to the south a distance of ninety-one and ninety-two hundredths feet, thence south eighty-eight

degrees forty-four minutes west, one thousand two hundred thirty-three and thirty-five hundredths feet, thence on and along a circular curve of eight hundred feet radius concave to the north a distance of one hundred ninety-two and twenty-two hundredths feet, thence north seventy-seven degrees thirty minutes west, three hundred three and fifty-six hundredths feet, thence on and along a circular curve of eight hundred feet radius concave to the south a distance of one hundred forty and fifty-six hundredths feet, thence north eighty-seven degrees thirty-four minutes west, seven hundred ninety-seven and four hundredths feet, thence on and along a circular curve of five hundred feet radius concave to the south a distance of one hundred twenty-four and ninety-four hundredths feet, thence south seventy-eight degrees seven minutes west, four hundred ten and twenty-five hundredths feet, thence on and along a circular curve of eight hundred feet radius concave to the southeast a distance of six hundred fifteen and ninety-eight hundredths feet, thence south thirty-four degrees west, nine hundred twenty-six and fifty-eight hundredths feet, thence south thirty-seven degrees twelve minutes west, two thousand two hundred seventeen and fifty-three hundredths feet, thence south forty-two degrees three minutes west, two thousand forty-four and ninety-six hundredths feet, thence south thirty-eight degrees forty-six minutes west, one thousand one hundred seventy-seven and forty-two hundredths feet, thence on and along a circular curve of eight hundred feet radius concave to the northwest a distance of one hundred forty-nine and eighty-seven hundredths feet, thence south forty-nine degrees west, one thousand nine hundred twenty-three and thirty-eight hundredths feet, thence on and along a circular curve of one thousand feet radius concave to the northwest a distance of one hundred thirty-six and fourteen hundredths feet, thence south fifty-seven degrees eighteen minutes west, five hundred fourteen and forty-six hundredths feet, thence south fifty-six degrees two minutes west, six hundred eighty-nine and ninety-six hundredths feet, thence south fifty-four degrees five minutes west, one thousand sixty-six and seventy-nine hundredths feet, thence on and along a circular curve of five hundred feet radius concave to the northwest a distance of one hundred forty and fifty hundredths feet, thence south seventy degrees eleven minutes west, eight hundred seventy-four and fifty-four hundredths feet, thence on and along a circular curve of one thousand feet radius concave to the southeast a distance of one hundred thirty-two and sixty-five hundredths feet, thence south sixty-two degrees thirty-five minutes west, five hundred and eighty-two hundredths feet, thence on and along a circular curve of three hundred feet radius concave to the southeast a distance of two hundred twenty-six and two hundredths feet, thence south nineteen degrees twenty-five minutes west, five hundred thirty-eight and fifty-four hundredths feet, thence on and along a circular curve of four hundred feet radius concave to the northwest a distance of one hundred three and nine hundredths feet, thence south thirty-four degrees eleven minutes west, four hundred seventy-four and forty-four hundredths feet, thence on and along a circular curve of one hundred thirty feet radius concave to the northwest a distance of one hundred forty-two and nineteen hundredths feet, thence north eighty-three degrees nine minutes west, two hundred seventeen and twenty-eight hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the northeast a distance of one hundred thirty-eight and eighty-seven hundredths feet, thence north forty-three degrees twenty-two minutes west, two hundred thirty-two and eighteen hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the southwest a distance of seventy and sixteen hundredths feet, thence north sixty-three degrees twenty-eight minutes west, sixty-seven and ninety-six hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the southwest a distance of sixty-six and fifty-six hundredths feet, thence north eighty-two degrees thirty-two minutes west, five and sixteen hundredths feet, thence on and along a circular curve of two hundred forty feet radius concave to the southeast a distance of one hundred seventy-four and sixty-three hundredths feet, thence south fifty-five degrees fifty minutes west, seventy-four and ninety-four hundredths feet, thence on and along a circular curve of one hundred fifty feet radius concave to the southeast a distance of eighty-five and twenty-six hundredths feet, thence south twenty-three degrees sixteen minutes west, four and three hundredths feet, thence on and along a circular curve of one hundred forty feet radius concave to the northwest a distance of one hundred thirty-three and twenty-five hundredths feet, thence south seventy-seven degrees forty-eight minutes west three hundred fifty-six and two hundredths feet, thence on and along a circular curve of one hundred fifty feet radius concave to the southeast a distance of one hundred seventy-two and forty-eight hundredths feet, thence south eleven degrees fifty-five minutes west, eighty-three and eighty-five hundredths feet, thence on and along a circular curve of three hundred fifty feet radius concave to the northwest a distance of two hundred two and forty hundredths feet, thence south forty-five degrees three minutes west, nine hundred thirteen and ninety-four hundredths feet, thence on and along a circular curve of four hundred feet radius concave to the northwest a distance of one hundred forty-one and two hundredths feet, thence south sixty-five degrees fifteen minutes west, four hundred twelve and seventy hundredths feet, thence on and along a circular curve of four hundred feet radius concave to the north a distance of two hundred twenty-six and eighty-nine hundredths feet, thence north eighty-two degrees fifteen minutes west, one hundred thirty-six and fifty-three hundredths feet, thence on

and along a circular curve of one hundred twenty feet radius concave to the southeast a distance of one hundred sixty-nine and twenty-three hundredths feet, thence south sixteen degrees fifty-seven minutes west, fifty-eight and seventy-nine hundredths feet, thence on and along a circular curve of four hundred feet radius concave to the east a distance of one hundred thirty-five and sixty-seven hundredths feet, thence south two degrees twenty-nine minutes east, thirty-five and eighty-nine hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the west a distance of one hundred sixty-three and one hundredth feet, thence south forty-four degrees thirteen minutes west, two hundred nineteen and fifty-seven hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the east a distance of one hundred seventeen and eighty-seven hundredths feet, then south twenty-three degrees and nineteen minutes east, forty-five and fifty-six hundredths feet, thence on and along a circular curve of one hundred fifty feet radius concave to the west a distance of one hundred forty-one and eighty-one hundredths feet, thence south thirty degrees fifty-one minutes west, one hundred forty-six and sixty-six hundredths feet, thence on and along a circular curve of three hundred feet radius concave to the northwest a distance of eighty-six and thirty-nine hundredths feet, thence south forty-seven degrees twenty-one minutes west, two hundred thirty-four and twenty-five hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the east a distance of one hundred five and ninety-four hundredths feet, thence south thirteen degrees twenty-one minutes east, one and twelve hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the northwest a distance of one hundred sixty-four and seventy-six hundredths feet, thence south eighty-one degrees three minutes west, forty-four and eighty-seven hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the southeast a distance of one hundred eighty-nine and eight hundredths feet, thence south twenty-seven degrees seventeen minutes east one hundred twenty-seven and thirty-four hundredths feet, thence on and along a circular curve of three hundred fifty feet radius concave to the northeast a distance of one hundred six and ninety hundredths feet, thence south forty-four degrees forty-seven minutes east, sixty-six and twenty-four hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the northwest a distance of two hundred eighty-one and eighty-one hundredths feet, thence north sixty-three degrees nineteen minutes west, two hundred sixty-seven and six hundredths feet, thence on and along a circular curve of five hundred feet radius concave to the southwest a distance of ninety-four and twenty-five hundredths feet, thence north seventy-four degrees seven minutes west, forty-nine and fifty-seven hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the southeast a distance of one hundred eighteen and thirty-nine hundredths feet, thence south thirty-eight degrees three minutes west, one hundred twenty-five and ninety-seven hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the east a distance of sixty-one and ninety-six hundredths feet, thence south two degrees thirty-three minutes west, four hundred sixty-two and eighteen hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the west a distance of ninety-one and sixty-three hundredths feet, thence south fifty-five degrees three minutes west, ninety-six and five hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the southeast a distance of one hundred thirty-four and sixty-two hundredths feet, thence south sixteen degrees twenty-nine minutes west two hundred twenty-nine and forty-nine hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the northwest a distance of two hundred seventy-five and six hundredths feet, thence north eighty-four degrees and forty-three minutes west, three hundred sixty-three and fifty-two hundredths feet, thence on and along a circular curve of one hundred twenty feet radius concave to the southeast a distance of one hundred ninety-nine and seventy-one hundredths feet, thence south twenty-two degrees forty-three minutes east, fourteen and eighty-eight hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the northwest a distance of one hundred sixty-seven and thirty-eight hundredths feet, thence south seventy-three degrees eleven minutes west, seventy-nine and seventeen hundredths feet, thence on and along a circular curve of four hundred feet radius concave to the southeast a distance of one hundred twelve and eighty-six hundredths feet, thence south fifty-seven degrees and one minute west, one hundred forty and sixty-eight hundredths feet, thence on and along a circular curve of one hundred fifty feet radius concave to the northwest a distance of fifty-seven and eighty-one hundredths feet, thence south seventy-nine degrees six minutes west, fourteen and nine hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the east a distance of two hundred ninety-four and thirty-eight hundredths feet, thence south eighty-nine degrees thirty-four minutes east, thirty-eight and eighty-three hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the southwest a distance of ninety-seven and seventy-four hundredths feet, thence south thirty-three degrees thirty-four minutes east, sixty-three and fifty-four hundredths feet, thence on and along a circular curve of one hundred feet radius concave to the west a distance of one hundred thirty-eight and ninety hundredths feet, thence south forty-six degrees one minute west, fifty-

seven and two hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the northwest a distance of eighty-eight and sixty-six hundredths feet, thence south seventy-one degrees twenty-five minutes west, five hundred forty-five and ninety-six hundredths feet, thence on and along a circular curve of one hundred eighty feet radius concave to the northeast a distance of four hundred one and eighteen hundredths feet, thence north nineteen degrees seven minutes east, three hundred twenty-four and ninety-five hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the west a distance of one hundred eighteen and sixty-eight hundredths feet, thence north fifty-five degrees thirty-three minutes west, three hundred fifty-five and eighty-six hundredths feet, thence on and along a circular curve of one hundred fifty feet radius concave to the south a distance of two hundred one and thirty-two hundredths feet, thence south forty-seven degrees thirty-three minutes west, one hundred sixty-eight and sixty hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the northwest a distance of one hundred eighteen and sixty-eight hundredths feet, thence south eighty-one degrees thirty-three minutes west one hundred seventy-four and eighty-nine hundredths feet, thence on and along a circular curve of two hundred feet radius concave to the north a distance of one hundred seven and five hundredths feet, thence north sixty-seven degrees forty-seven minutes west, three hundred thirteen and sixty-seven hundredths feet, thence on and along a circular curve of three hundred feet radius concave to the south a distance of one hundred seventeen and forty-six hundredths feet, thence south eighty-nine degrees forty-seven minutes west fifteen thousand three hundred thirty three and nine hundredths feet more or less to the southeast corner of section seventeen, township thirty-one south, range thirty east, Mount Diablo base and meridian, is hereby declared to be a state highway; *provided*, that deeds for rights of way for said road shall have been first had and obtained, said right of way to be sixty feet wide and deeds for the said right of way to be deposited with the highway commission of the State of California."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "2".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 10, line 36, of the printed bill, strike out the number "1910", and insert in lieu thereof the number "1920".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 193—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2, in title of printed bill, after the word "secretary" insert a comma and strike out the words "and to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3, in title of printed bill, after the word "secretary" insert the following: "and other employees".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 18 of the printed bill, starting with word "the", strike out all of the balance of said line and all of lines 19, 20, 21 and 22 down to and including the word "office", and insert in lieu thereof the following: "The state board of health shall also have power to employ, subject to the civil service regulations of this state, such other additional clerical and professional assistants as may be necessary for the proper performance of the work of the office; to prescribe their duties, and to fix their salaries in accordance with classifications made by the civil service commission".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 416—An act to amend section 356 of the Political Code, relating to the Department of Institutions.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

On motion of Senator Hurley Senate Bill No. 82 was passed on file.

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 108 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Demmett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hendley, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Powers, Rominger, Rush, Sample Sharkey, Slater, Swing, and West—31.

NOES—Senator McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds.

On motion of Senator Sharkey, Senate Bill No. 443 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, M. B., moved to refer Senate Bill No. 444 to Senator Ingram, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 42, strike out the article "a", and insert in lieu thereof the word "any".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 444, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Special Committee.

Report read, and on motion of Senator Johnson, M. B., adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362f, relating to the powers of the State Department of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 445 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. J. J. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.

On motion of Senator Gates, E. J., Senate Bill No. 354 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof,

to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

Constitutional amendment read.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Senator Gates, E. J., the President pro tempore declared the Senate at recess until the hour of one o'clock and thirty minutes p.m.

RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

Constitutional amendment read previously.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 18 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Handy, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, and Slater—28.

NOES—Senators Canepa, Carr, Crowley, Gates, Dr., Godsil, Gray, Hurley, Murphy, Swing, and West—10.

Senate Constitutional Amendment No. 18 ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator McDonald gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 18 was adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley irrigation districts under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended;

Also: Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Senate Bills Nos. 89, 122 and 124 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 894—An act to amend section 3469 of the Political Code, relating to the reapportionment of reclamation assessments;

Also: Assembly Bill No. 896—An act to provide for the organization and government of public park districts;

Also: Assembly Bill No. 972—An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras big trees in the national forest to be a State highway;

Also: Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith;

Also: Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections;

Also: Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 894 referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 896 referred to Committee on Elections.

Assembly Bill No. 972 referred to Committee on Roads and Highways.

Assembly Bill No. 938 referred to Committee on Elections.

Assembly Bill No. 1263 referred to Committee on Education.

Assembly Bill No. 1264 referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial;

Also: Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal;

Also: Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32a, relating to the issuing of funding or refunding bonds of such districts;

Also: Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names;

Also: Assembly Bill No. 863—An act to amend section 1202a of the Penal Code, relating to persons sentenced to State penitentiaries.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 227 referred to Committee on Irrigation.
 Assembly Bill No. 300 referred to Committee on Judiciary.
 Assembly Bill No. 304 referred to Committee on Judiciary.
 Assembly Bill No. 568 referred to Committee on Irrigation.
 Assembly Bill No. 728 referred to Committee on Judiciary.
 Assembly Bill No. 863 referred to Committee on Prisons and Reformatories.

ADJOURNMENT.

At four o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
 SACRAMENTO, Friday, March 23, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 22, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Rush was, on motion of Senator Sample, granted leave of absence for this day.

Senator Jones was, on motion of Senator Johnson, M. B., granted leave of absence for this day.

Senator Breed was, on motion of Senator Johnson, M. B., granted leave of absence for this day.

Senator Gates, E. J., was, on motion of Senator Johnson, M. B., granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following teacher and pupils of Washington School:

Teacher of Civics—Mrs. Morrill. Class teacher—Miss Higley. Pupils—Esther Barkwell, Gladys Bowen, Gladys Buell, John Carbone, Madeleine Casey, Thelma

Ellis, George Flahive, Bessie Glenn, Shirley Hornstein, Bernice Kuechler, Hugo Lazzari, Howard Mackay, Elizabeth Muzzy, William Noble, Laura Platt, Ayleen Ramey, Roy Reynolds, Harry Starkey, Doris Ulery, and Lester Varozza.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following teacher and pupils of the Eighth B Class of Sierra School:

Teacher—Miss Peterson. Pupils—Joyce Kennedy, Gwendolyn Malcolmson, Virginia Zine, Virginia Cave, Neoma Moundy, Eugenia Meek, Ruby Gerg, Helen Apothy, Mary Brunner, Thelma Britt, Harry Buzby, Arthur Joy, Alexander Wallace, George Hallifax, Jack White, Wm. Cippa, Elgin Jackson, Wm. Swett, Orval Schreck, Lawrence Peterson, Preston Miller, and Michael Belich.

On request of Senator Dennett, the privilege of the floor of the Senate Chamber for the day was unanimously extended the following teacher and pupils of Merced Union High School:

Teacher—Louise Norvell. Pupils—Rose C. McKerron, Stanley Shaffer, Mae Scriven, Virginia Wall, Isabel Flanagan, Florence Thomas, Gladys Wrinkle, Carrie C. Dalorno, Marjorie Hall, Helen Stimpson, Kathryn Peck, Margaret McKerron, Kenneth Connell, Maudine Willett, Elaine Barkway, Lazetta Lowe, Nora Lawrence, Bessie Trindade, Mrs. R. H. Montgomery, Mrs. J. O. Fox, Otis Oliver, John Marshall, E. E. Roffenspinger, James Yond, Everett Hamblert, Harold Peake, Zorina Harris, Angelina Pantell, Ruth Montgomery, Shirley Wood, Lotus Wallace, Stanton M. Forden, Hugh Craddick, George Pantell & Co., Frank Helmer, William Lawrence, Laurence Oneto, George Matson, Wilbur De Silva, Everett Fitchett, John Wais, Louis Pridly, Arthur Lockil, Clayton Sheskey, Harold Weaver, Herbert Montgomery, Thomas Fox, C. S. Weaver, Alvin Eshelman, Frank Davis, Wilbur McMurry, Wm. Nascent, and Minor Kishi.

COMMUNICATIONS.

The following communications were presented and ordered printed in the Journal:

By Senator McDonald:

I favor the New Pension Law as presented by the San Francisco Teachers' Association, and endorsed by the Legislative Committee of the California Teachers' Association—Senate Bill 127.

EDNA F. BORDEN,
And 55 others.

By Senator Chamberlin:

LOS ANGELES, March 20, 1923.

To the Senate of the State of California, Greetings:

At a meeting of the Council of the city of Los Angeles, California, held March 19, 1923, the Council by a unanimous vote approved Assembly Bill No. 129, which is a proposed amendment to the Whitney Act, which provides for the establishing of a Special Cases Department of the City Police Courts.

Respectfully,

ROBERT DOMINGUEZ, City Clerk.

By Senator Lyon:

WHEREAS, A knowledge and understanding of the Constitution of the United States is an essential of good citizenship; and

WHEREAS, Senator Harry A. Chamberlin has introduced in the State Legislature a bill requiring the teaching of the Constitution of the United States in the Public and Private Schools of the State of California, said bill reading as follows:

The people of the State of California do enact as follows:

SECTION 1. In all public and private schools located within the State of California, commencing with the school year next ensuing after the passage of this act, there shall be given regular courses of instruction in the constitution of the United States.

SEC. 2. Such instructions in the constitution of the United States shall begin not later than the opening of the eighth grade, and shall continue in the high school course and in courses in state colleges, universities and educational departments of state and municipal institutions, to an extent to be determined by the Superintendent of Public Instruction (or State Commissioner of Education).

Therefore be it

Resolved, That the Fifteenth Annual State Conference of the Daughters of the American Revolution endorse said bill and urge its passage by the Legislature; be it further

Resolved, That a copy of this resolution, duly certified by the Secretary be transmitted to His Excellency, Friend W. Richardson, Governor of the State of California, Hon. C. C. Young, President of the Senate, to the Hon. Robert J. Gates, Chairman of the Finance Committee of the Senate, the Hon. Frank F. Merriam, Speaker of the Assembly, and to the Hon. Chester M. Kline, Chairman of the Ways and Means Committee of the Assembly, at Sacramento, California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 123—An act to amend section 1616 of the Political Code relating to kindergartens:

Also: Senate Bill No. 158—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof:

Also: Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16a:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

BOGGS, Vice Chairman.

Senate Bill No. 123 ordered on file for second reading.

Senate Bill No. 458 ordered on file for second reading.

Assembly Bill No. 14 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers, has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

BOGGS, Vice Chairman.

Senate Bill No. 465 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 549—An act creating the California State Historical Association and appropriating money for its support during the seventy-fifth and seventy-sixth fiscal years, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—12; absent—3.

BOGGS, Vice Chairman.

Senate Bill No. 549 re-referred to Committee on Finance.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections

—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

SLATER, Chairman.

Senate Bill No. 60 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry, to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913:

Also: Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations, and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; all present.

CROWLEY, Chairman.

Senate Bills Nos. 125 and 331 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses; and providing penalties for its violation," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and without recommendation.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Senate Bill No. 552 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Senate Bill No. 393 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 337—An act to amend sections 2 and 50a of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing

title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and without recommendation.

Committee membership—11; committee vote: Ayes—10; absent—1.

INMAN, Chairman.

Senate Bill No. 537 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—4; absent—3.

HURLEY, Chairman.

Assembly Bill No. 112 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 401—An act providing rules and regulations governing reforestation, under which exemption from taxation may be obtained;

Also: Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—7; committee vote: Ayes—4; absent—3.

HURLEY, Chairman.

Senate Bill Nos. 401 and 656 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 534—An act providing for the issue by private corporations of capital stock

without nominal or par value—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

CHAMBERLIN, Chairman.

Senate Bill No. 534 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1750, 1620a, and 1543e, providing for the cooperative purchase of standard school supplies and equipment by school districts;

Also: Senate Bill No. 489—An act to approve, confirm, ratify and validate sales and conveyance of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales;

Also: Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35a and 19a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses;

Also: Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries.

Also: Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties;

Also: Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the superior court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the juvenile court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act;

Also: Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof

and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended:

Also: Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons; and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended:

Also: Senate Bill No. 159—An act to amend section 171 of the Code of Civil Procedure, relating to the prohibition of judges from practicing law:

Also: Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law:

Also: Senate Bill No. 685—An act to amend section 890 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney:

Also: Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948; approved April 19, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California of 1915, page 952, and all its amendments thereof, and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461: And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof;

Also: Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class:

Also: Senate Bill No. 456—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act:

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 17—Relative to leave of absence of E. L. Dow from the State of California—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 15—Approving the charter of the city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-second day of March, 1923 at 3 o'clock and 39 minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education—and reports that the same has been correctly re-engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 522—An act to amend section 647 of the Civil Code, defining the various classes of securities upon which a building and loan association may invest or borrow:

Also: Senate Bill No. 551—An act to permit and regulate the deposit of money of counties, municipalities and irrigation districts with building and loan associations:

Also: Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended:

Also: Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State Highway:

Also: Senate Bill No. 275—An act to declare a certain road between Bakersfield and Mojave a State highway and make an appropriation therefor:

Also: Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers:

Also: Senate Bill No. 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2003, and also, all the acts and proceedings of said district:

Also: Senate Bill No. 193—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health:

Also: Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions:

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1221—An act to amend section 3666a of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equal-

ization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner;

Also: Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921;

Also: Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1221 read first time, and referred to Committee on Insurance.

Assembly Bill No. 733 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 715 read first time, and referred to Committee on Irrigation.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out all of said line, and all of the rest of said bill, and insert in lieu thereof the following:

"One of said executive directors shall have at least five years practical experience in irrigation, and the other of whom shall have at least five years experience in administration and both of whom shall be residents of this state and continue to be such residents during the term of their office.

The office of the state irrigation board herein created shall be at the city of Sacramento, in the State of California.

Each executive director shall receive as compensation the sum of twenty (20) dollars per day for each day actually employed in the performance of duties under this act and shall receive actual traveling expenses when engaged in the performance of such duties, which shall be charged as a part of the cost of the project of the proposed water conservation district for which such duties are performed.

SEC. 2. The state engineer shall be the chairman of the state irrigation board herein created and said board shall employ a secretary and such attorneys, engineers and other employees and assistants as it may require and shall fix the term of their employment and compensation.

SEC. 3. The state irrigation board shall have the power to unite into single districts in the manner and for the purposes provided in this act, irrigation districts, water storage districts, reclamation districts, drainage districts and other political subdivisions of the state, organized to promote irrigation, reclamation or drainage, which united districts shall be known and are herein referred to, as water conservation districts; and the purposes of the formation of such districts being primarily to provide for the storage of waters and the development of hydro-electric energy in conjunction therewith and incidental thereto, to promote the irrigation of the lands therein, and in connection therewith and incidental thereto the reclamation and drainage and flood control of such lands. The legislature hereby declares that every

such water conservation district, formed as herein provided, is and shall be an irrigation district within the meaning of section thirteen of article eleven of the constitution of the State of California, and within the meaning of every other provision of said constitution relating to irrigation districts. Such water conservation districts shall be composed of three or more units, all or any of which units shall be irrigation districts, water storage districts, reclamation districts, drainage districts, or other political subdivisions of the state organized to promote irrigation, reclamation or drainage or flood control.

SEC. 4. Whenever three or more of such units, all or any of which units shall be irrigation districts, reclamation districts, drainage districts, water storage districts or other political subdivisions of the state organized to promote irrigation, reclamation or drainage or flood control now or hereafter to be formed, can use a common system of works and all the land situated therein be benefited by such works, the governing boards of any three or more of said units may present a petition to the state irrigation board herein created for the purpose and object of creating a water conservation district. Said petition shall designate by name or otherwise the units joined in such petition and the water to be stored, used or acquired and shall outline generally the character and location of the proposed works and pray that said units be united in pursuance of the provisions of this act so as to create a water conservation district.

Said petition shall be signed by the presiding officers and the secretary or clerk of the governing board of each of said units under seal of said units so petitioning said state irrigation board to form a water conservation district as herein provided.

Said petition may be contained in separate instruments presented by each unit or may be contained in one or more instruments presented by any or all of said units. Such petition must be accompanied by a certified copy of a resolution of the governing boards of each petitioning unit, authorizing the presiding officer and the secretary or clerk to execute the same.

Said petition must be accompanied with a good and sufficient undertaking or agreement to be approved by the state irrigation board herein created, conditioned that the sureties or signers shall pay all of the costs and expenses in connection with the investigation herein provided for in case said organization shall not be finally effected, and said state irrigation board herein created shall have power to require the furnishing of any additional undertaking, or undertakings, or payments of money in case they should deem the same necessary; *provided, however*, that the cost thereof shall not in the aggregate exceed in amount in dollars one-fourth the number of acres in such proposed water conservation district and shall be deemed a part of the expense of said project, and said state irrigation board herein created may require the same to be paid by the proponents of said district, and the sum so collected and expended by said state irrigation board shall be considered and treated as a proper and legal charge against the water conservation district and which shall be payable out of the funds of said water conservation district when the organization thereof has been completed.

If said district for any reason be not organized as hereinafter provided for, any money remaining in the hands of said state irrigation board shall be returned to petitioners.

Upon presentation to it of a petition or petitions, as aforesaid praying for the formation of a conservation district, the state irrigation board herein created shall fix a time and place, which place shall be within the county in which the lands of said proposed water conservation district are situated and if the lands of such water conservation district are situated in more than one county, then in any one of said counties, at which it shall hear said petition, which time shall be not less than twenty-five (25) days, nor more than thirty (30) days, after the first publication of the notice hereinafter provided for in section five (5) of this act.

SEC. 5. Said petition together with a notice stating the time and place of the hearing so fixed by said state irrigation board shall be published in each county in which any of the lands of said proposed district are situated in a newspaper of general circulation, published in such county, at least once a week for three successive weeks before the date of said hearing: said notice shall be issued by the said state irrigation board herein created, shall refer to said petition and shall be directed to the petitioners therein, and to each of the units petitioning to form said water conservation district, and to all persons holding title or evidences of title to any lands included within the water conservation district proposed in said petition, and to all persons having or claiming any right, title or interest in and to the waters proposed to be stored, acquired or used, as set out in said petition, and to all other persons who may be interested in or affected by the project contemplated in said petition, and to all or any persons in any way interested in or affected by said petition or the formation of said water conservation district, and shall be substantially in the following form:

Before the State Irrigation Board of the State of California.

To the petitioners in the foregoing petition and to each of the units petitioning to form said water conservation district, and to all persons holding title or evidence of title to any lands included within the water conservation district proposed in

said petition, and to all persons having or claiming any rights, title or interest in and to the waters proposed to be stored, acquired or used as set out in said petition, and to all other persons who may be interested in or affected by the project contemplated in said petition, and to all or any persons in any way interested in or affected by said petition or the formation of said water conservation district:

You and each of you are hereby notified that the foregoing petition was filed with the state irrigation board on the _____ day of _____ 19____, and will be heard by said state irrigation board at _____ on the _____ day of _____ 19____, at the hour of _____ o'clock _____ m. of said day, at which time and place said state irrigation board will hear and receive evidence in support of said petition and any objections which may be presented thereto.

This notice is given pursuant to the provisions of an act approved _____ and known as California water conservation district act, to which said act particular reference is hereby made.

STATE IRRIGATION BOARD,

By _____ Chairman

By _____ Secretary

Dated _____

When contained in more than one instrument only one copy of said petition need be published but the name attached to all of said instruments must appear in such publication.

Sec. 6. At the time and place fixed in said notice the state irrigation board shall proceed to hear said petition and to determine whether or not the same complies with the requirements hereinbefore set forth and whether or not the notice filed herein has been published as required and must hear all competent and relevant testimony offered in support of or in opposition thereto.

Said hearing or any adjournment thereof may be conducted and heard by any one or more of the members of said state irrigation board. Said hearing may be adjourned from time to time as the state irrigation board or any member or members thereof conducting the same may determine.

For the purpose of performing any duty under this act the chairman of the state irrigation board may appoint one or more of its members to conduct any hearing or investigation. Such member or members shall make a written report to the state irrigation board of the proceedings taken at such hearing and shall state the evidence introduced at such hearing and his or their conclusions thereon.

Upon such report or upon such further hearing as the state irrigation board shall deem proper, the state irrigation board may pass upon and decide any question under consideration at said hearing. The decision of the state irrigation board shall be final except as to questions, the determination of which are vested in the courts by this act or by the constitution of this state or by the constitution of the United States.

No defect in the contents of the petition or in the title to or form of the notice or signatures to said notice or petition shall vitiate any proceedings thereon.

If there shall be presented at such hearing or at any time before the final order herein provided for of the state irrigation board, a written objection or objections signed by the owners of more than one-half of the lands in any such units or constituent districts, or a majority in numbers of the holders of title or evidence of title, according to the equalized county assessment roll or rolls for the year last preceding, the signing of such petition by the officers of such constituent district or unit shall be deemed to be nullified, and the state irrigation board shall have no power to include such unit or district within the proposed water conservation district.

Sec. 7. The state irrigation board shall before making a final order creating a water conservation district as in this act provided, proceed to make or cause to be made all such examinations, surveys, estimates of costs for the acquisition, appropriation, diversion, storage, conservation and distribution of water, any drainage or reclamation or flood control works in connection therewith and works for the generation of hydro-electric power incident thereto and the sale and distribution thereof, as may be necessary or requisite to enable said state irrigation board to ascertain and estimate the requirements and works necessary for the purpose of said water conservation district as prayed for in said petition and the cost and expense thereof, and to make a report thereon as herein provided.

In such connection said state irrigation board may use and adopt all previous estimates, surveys, reports and other data it may have acquired or which are available to it, adapted to that purpose and may employ all necessary engineers, attorneys and other assistants for the accomplishment of said purposes, and the cost thereof shall be deemed a part of the expense of the investigation and organization of such water conservation district as provided in section four hereof, and shall be a charge against said water conservation district if created.

Upon the completion of said examination and study of the proposed project by said state irrigation board, said board shall prepare a report thereof, in which report

shall be set forth the character and nature of the proposed works, a description of the rights to water, to lands, and other property necessary to be acquired to carry said project to completion, accompanied by an estimate of the cost of said project. A copy of such report and estimate shall be kept on file in the office of the state irrigation board and be open to inspection during business hours by all interested persons or parties.

SEC. 8. The state irrigation board shall before making the final order creating a water conservation district, by order duly entered in its minutes, apportion to each constituent district or unit of said water conservation district, the portion to which it is entitled of all the water storage capacity in the proposed reservoir, the waters stored or to be stored or diverted or to be diverted by such project for the irrigation of the lands of the water conservation district, and all power developed or to be developed incidental thereto or in connection therewith, and in making such apportionment it must take into consideration the present water rights and the additional water necessary to perfect the irrigation of the lands of each unit, and the apportionment of power to each unit shall be in the same proportion to the whole as its apportionment of capacity in the reservoir, which proportion of such water and power shall be forever applied to the purpose and for the benefit of such constituent district or unit.

Said board shall likewise in such order determine, define and apportion to each of such constituent districts or units the proportion of all costs and expense of the project to be paid by it, including the costs and expenses of said irrigation board in connection therewith, same to be based upon and in proportion to the allotment of water storage capacity, water and power apportioned to each unit plus the benefit of reclamation or drainage or flood control to such unit. A copy of such order duly certified, shall be served on each of the constituent districts or units by delivering the same to some officer thereof, and provided that nothing herein contained shall be deemed to confer on said state irrigation board or upon any water conservation district formed under the provisions of this act the right to impair or deprive any person, corporation or district of any vested right in or to any water without due process of law.

SEC. 9. When any of the proposed works of a water conservation district will serve the purpose of drainage, flood control or reclamation within a constituent district or unit of a water conservation district, the state irrigation board may estimate the proportion of the cost of said construction which may be properly charged to the constituent district or unit benefited by such drainage, flood control or reclamation and carry such amount into the total sum to be paid by such constituent district or unit.

SEC. 10. After making the order of apportionment provided for in section 8 hereof, the state irrigation board shall make an order directing the governing board of each unit or constituent district to call an election to be held on the one hundred and twentieth day after the making of said order by said irrigation board apportioning the benefits and costs and expenses as herein provided.

Said order of the state irrigation board last above provided for shall contain the name of the proposed water conservation district and shall describe the territory embraced within such proposed water conservation district by naming the constituent units or districts proposed to be joined therein as set forth in the petition to said state irrigation board.

Upon receiving and filing a copy of said order of said state irrigation board duly certified by the secretary of said board, it shall be the duty of the governing board of each of said constituent districts or units to call said election to be held as herein provided for.

In addition to the matters and things required by the laws, rules, and regulations of the unit or district calling such election, the notice of such election shall contain the name of the proposed water conservation district and the description of the territory embraced within such proposed water conservation district by naming the constituent districts or units proposed to be joined therein as set forth in the petition to said state irrigation board.

At such election there shall be submitted to the electors or voters in each of such units or districts the question as to whether or not a water conservation district shall be organized under the provisions of this act. At such election there shall also be submitted to the electors or voters in each of such units or districts the question whether or not bonds shall be issued and sold in an amount sufficient to pay its proportion of the costs and expenses allotted and apportioned to such unit by the state irrigation board in said order, plus fifteen per cent in addition thereto for contingencies. The ballots to be cast at said election shall contain the words, "Water Conservation District—Yes" or "Water Conservation District—No" or words equivalent thereto, and said ballots shall also contain the word "Bonds—Yes" or the words "Bonds—No", or words equivalent thereto.

SEC. 11. Within then (10) days after such election has been held and the result thereof determined and declared, it shall be the duty of the governing board of each petitioning constituent district or unit, to have the secretary of said governing board certify to the said state irrigation board, the result of such election and whether or not, said bonds have been voted, and whether or not the constituent

district or unit represented by said governing board, has voted in favor of, or against the organization of said conservation district. Within ten (10) days after the state irrigation board receives the said certificates from all of the petitioning units or districts, said board shall enter an order that a conservation district is established in accordance with the prayer of the petition; *provided*, all of the petitioning districts or units, have voted in favor of the organization of said conservation district and have voted the bonds at the election held for that purpose; *provided, however*, that in the event, that any one or more of the said constituent districts or units should fail to vote such bonds, or to vote in favor of the organization of said water conservation district, the governing boards of three or more of the constituent districts or units, that have voted such bonds and voted in favor of the organization of said water conservation district, may petition said state irrigation board, at any time, within six (6) months, after the result of said election has been certified to said state irrigation board, to form and unite said constituent districts or units that shall have voted such bonds and voted in favor of the organization of a water conservation district, into a water conservation district which said petition shall be accompanied by resolutions of the governing boards of the respective units or districts joining in said petition, duly certified by the presiding officer and secretary or clerk thereof, and if, upon receiving such petition, the state irrigation board shall find said project both feasible and practicable, it shall thereupon, make and enter an order, in its minutes, that a water conservation district is created, consisting of such petitioning constituent districts or units, that have voted such bonds and voted in favor of the organization of said water conservation district and to the same effect, in all respects, as if the constituent districts or units that failed to vote such bonds or to vote in favor of the organization of said water conservation district, had never been included in the original petition.

A certified copy of said order shall be served upon the secretary or other officer of the governing board of each of said constituent districts or units, and a copy thereof, duly certified, shall be recorded by said state irrigation board, in the office of the county recorder of each of the counties in which any of the lands included in said water conservation district, are situated.

The board of directors of each constituent district or unit shall enter upon its minutes the certified copy of said order, so received by it.

The state irrigation board shall also, in said order establishing said water conservation district, divide said water conservation district into three, five, seven, nine or eleven subdivisions, as is most practicable, which said subdivisions shall be designated by number, and in making such subdivisions, the said board shall make the same as nearly equal in acreage as is practicable; *provided, however*, that districts or units or parts thereof created or formed under different laws or acts of the legislature, shall not be joined or united into one subdivision.

A majority vote in each particular constituent district or unit shall be required to carry the election in said district or unit in favor of the organization of a water conservation district.

SEC. 12. Such water conservation district shall be governed by a board of directors consisting of one director elected from each of said subdivisions in the manner herein provided. Within sixty days after the making of said final order establishing the water conservation district, the state irrigation board shall give notice of an election to be held in each subdivision of such water conservation district, for the purpose of electing a director from each subdivision, and shall fix and establish in said notice a convenient number of election precincts in each subdivision of said water conservation district and define the boundaries thereof, and at least one precinct must be established for each subdivision of said water conservation district. There shall also be designated in said notice, a voting place or places in each subdivision and a board of election consisting of one clerk, one inspector and two judges for each voting place, the names of which said officers of election shall be specified in said notice. Said notice, as to the election in each subdivision, shall be posted in three public places in each election precinct, and published in a newspaper of general circulation published in each county in which any of the lands included within the boundaries of said water conservation district are situated, for at least two weeks prior to the date of said election.

Nominating petitions for directors to be elected at such election shall be filed with the state irrigation board in the manner hereinafter provided for filing of nominating petitions with the board of directors of a water conservation district.

On the second Monday after such election the state irrigation board shall meet at its usual place of meeting to canvass the returns. If at the time of the meeting the returns from each precinct in the water conservation district in which the polls were opened have been received, the state irrigation board must then and there proceed to canvass the returns; but if all the returns have not been received, the canvass must be postponed from day to day until all the returns have been received, or until six postponements have been had. The canvass must be made in public and by opening the returns and estimating the vote of each subdivision of the water conservation district for each director thereof voted for, and declaring the result thereof. The secretary of the state irrigation board must immediately make

out and deliver to each person elected a director of a subdivision of the water conservation district a certificate of election signed by him and authenticated with the seal of said board.

Sec. 13. The directors of a water conservation district shall at noon on the second Tuesday of the first month after their election and qualification meet and organize as a board, enter upon their official duties, elect one of their members as president and appoint a secretary and a treasurer neither of whom shall be a member of said board, and all of whom shall hold office at the pleasure of the board. The board shall select and designate an office of the board, which shall be in one of the counties in which any of the lands, of the water conservation district is situated, which shall also be the office of the district, at which the board shall thereafter hold its meetings.

The salary of the secretary and the treasurer and the amount of the bond to be given by each for the faithful performance of their duties shall be fixed by the board of directors.

The board shall then proceed to classify themselves by lot into classes as nearly equal in number as possible, and the term of office of the class having the lesser number shall expire at noon on the second Tuesday in March following the next general February election provided for in this section of this act and the term of office of the class having the greater number shall terminate at noon on the second Tuesday in March following the next general election thereafter.

An election which shall be known as the general water conservation district election, shall be held in each water conservation district on the first Wednesday in February of each odd numbered year at which a successor shall be chosen to each director whose term of office shall expire at noon on the second Tuesday in March next thereafter. The term of office of each director of the district elected after the election on organization provided for in section 12 of this act shall be four (4) years or until his successor is elected and has qualified.

In case of vacancy in the office of director, the state engineer shall appoint some person qualified by law to fill such vacancy for the unexpired term. No director shall be elected by the water conservation district at large, but one director shall be elected from each subdivision to represent such subdivision.

Each director from each subdivision shall be a freeholder in the subdivision he represents.

A director or any other official of any constituent district or unit shall be eligible to hold the office of director of a water conservation district.

Within ten days after receiving their certificates of election or appointments herein provided for, each member of the board of directors shall take and subscribe the official oath, and file the same in the office of the board of directors, and execute the bond herein provided for. Each member of said board of directors shall execute an official bond, in the sum of \$5000, which said bond, shall be approved by a judge of the superior court of the county in which the office of the board is located, and shall be recorded in the office of the county recorder of said county, and filed with the secretary of said board. All official bonds herein provided for shall be in the form prescribed by the law for the official bonds of county officers and the premiums thereon may be paid by the water conservation district.

Sec. 14. Not less than ten (10) days before the election of directors any ten (10) or more qualified voters in any subdivision of the water conservation district may file with the board of directors of the water conservation district a petition requesting that a certain person or persons specified in such petition be placed on the ballot as a candidate or candidates for the office named in the petition. The name or names proposed by the various petitions so filed, and no others, shall be printed on the ballot; but there shall be sufficient blank spaces left in which voters may write other names, if they so desire. The petitions shall be preserved in the office of the board of directors of the water conservation district.

Thirty days before an election to be held under section 13 of this act the secretary of the board of directors of a water conservation district shall cause notices to be posted in 3 public places in each election precinct of the time and place of holding the election and shall also post a general notice of the same in the office of said board, which shall be established and kept at some fixed place to be determined by said board, specifying the polling places of each precinct. Prior to the time for posting the notices, the board must appoint for each precinct from the electors thereof a clerk, an inspector and two judges, who shall constitute a board of election for such precinct. If the board fails to appoint a board of election, or the members appointed do not attend at the opening of the polls on the morning of the election, the electors of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The board of directors must, in its order appointing the board of election, designate the house or place within the precinct where the election must be held.

At all elections held under the provisions of this act, the polls shall be opened at 8 o'clock a.m. and remain open until 6 o'clock p.m.

The inspector shall be chairman of the election board and may administer all oaths required in the process of an election; and appoint judges if, during the progress of the election, any judge ceases to act. Any member of the board of

election may administer and certify oaths required to be administered during the progress of an election. Before opening the polls, each member of the board must take and subscribe an oath to faithfully perform the duties imposed upon him by law. Any voter of the precinct may administer and certify such oath.

The ballot used at the election of directors of a water conservation district, after the election of directors on organization, shall be provided by the board of directors of a water conservation district, and one of the judges of election at every election of directors of a water conservation district shall deliver to each of the qualified voters one of the ballots so provided. The ballots to be used in each subdivision for the election of a director from said subdivision shall have printed on them the names of all candidates whose names have been filed as provided in this act, with a voting square behind each name: *provided*, that the ballots in each subdivision of the water conservation district shall have on them the names of persons to be voted for as director to represent that subdivision only.

As soon as the polls are closed, the election officers shall count the votes cast at such election, and a certificate shall be drawn by said election officers stating the number of votes each candidate received, and the result of said election. The certificate as aforesaid shall be signed by an inspector and judge of such election board. The election returns shall be immediately delivered by the inspector or by some other safe and responsible carrier designated by said inspector to the secretary or other officer of the water conservation district. No returns from election shall be set aside or rejected for want of form if they can be satisfactorily understood. The board of directors of the water conservation district must meet at the usual place of meeting on the first Monday after election to canvass the returns. If, at the time of meeting, the returns from each precinct in the district in which the polls were opened have been received, the board of directors must then and there proceed to canvass the returns; but if all the returns have not been received the canvass must be postponed from day to day until all the returns have been received or until six (6) postponements have been made. The canvass must be made in public and by opening the returns and ascertaining the vote of each subdivision of the water conservation district for each director voted for and declaring the result thereof.

The person receiving the highest number of votes in any election held in a subdivision of a water conservation district for the election of directors shall be elected as director.

The secretary of the water conservation district must immediately make out and deliver to each person elected a director of a subdivision of the water conservation district a certificate of election signed by him and authenticated with the seal of said water conservation district.

The board of directors of a water conservation district shall establish a convenient number of election precincts in each subdivision of a water conservation district and define the boundaries thereof, and at least one such precinct must be established for each subdivision of said water conservation district, and said board whenever it is deemed advisable for the best interests of said district, and the convenience of the voters may at any time, but not less than sixty (60) days before an election to be held in the district, change the boundaries of any such election precincts, which changes when made must be entered upon the minutes of the board.

SEC. 15. Except as herein otherwise provided, all the laws, rules and regulations and amendments and modifications thereto governing the voting, issuance, sale, form, contents, terms and conditions of bonds of each particular unit or district in which the same are voted and issued shall apply to and govern the voting, issuance, sale, form, contents, terms and conditions of the bonds herein authorized.

Except as herein otherwise provided, the manner of conducting and holding elections, qualification of voters, the necessary number of votes to carry any proposition submitted at any election shall be governed by the same laws, rules and regulations and amendments and modifications thereto of the particular district or unit in which said election is held.

SEC. 16. The directors when sitting as a board or acting under the orders of the board shall receive not to exceed ten (10) dollars per day and twelve (12) cents per mile for each mile travelled from his place of residence to the office of the board, such mileage to be computed by the shortest travelled route, and all necessary expenses paid while engaged in official business under orders of the board.

The board of directors shall hold a regular meeting on the second Tuesday of each month at the place selected as the office of the board: *provided*, that the board may, by resolution duly entered upon its minutes, fix any other time as the time for its regular monthly meeting, but no change in the time of holding regular meetings of the board shall be made until after the resolution proposing such change has been published once a week for two successive weeks in a newspaper published in the county in which the office of the district is located. Such special meetings of the board of directors may be held as may be required for the proper transaction of the business of the district, but a special meeting must be ordered by a majority of the board. The order must be entered of record, and three days notice thereof must be given by the secretary to each director not joining in the order. The order must specify the business to be transacted, and no other business than that specified in the order may be transacted at such special meeting, unless all the members

are present and consent to the consideration of any business not specified in said order. All meetings of the board must be public and a majority of the members shall constitute a quorum for the transaction of business, but on all questions requiring a vote, except a motion to adjourn, or a motion to adjourn to a stated time, there shall be a concurrence of at least the number constituting a quorum. A smaller number of directors than a quorum may adjourn from day to day. All records of the board shall be open to public inspection during business hours. Whenever any act is required to be done or proceeding taken by this act, or by an act supplemental or amendatory thereto, on the second Tuesday in any month, such act may be had or proceedings had upon the day specified in the resolution hereinbefore referred to as the time for the regular meeting of the board of directors.

SEC. 17. The board of directors of a water conservation district shall, as soon as it is organized, proceed to make or cause to be made all such examinations, surveys, plans and specifications and estimates of costs for the acquisition, appropriation, diversion, storage, conservation and distribution of water, any drainage or reclamation works connected therewith and the generation of hydro electric energy incident thereto and the sale and distribution thereof as may be necessary or requisite to enable said board to ascertain and estimate the requirements and works necessary for the purposes of said water conservation district, as prayed for in said petition and the cost and expense thereof, and to make a report thereof as herein provided.

In such connection said board may use and adopt all previous estimates, surveys, reports and other data it may have acquired or which are available to it adapted to that purpose, and may employ all necessary engineers, attorneys and other assistants for the accomplishment of said purposes, and the cost thereof shall be deemed a part of the expense of the water conservation district and shall be a legal charge against said water conservation district.

Upon the completion of said examination and study of the proposed project by said board, it shall prepare a report thereof in which report shall be set forth in detail the character and nature of the proposed works in order to carry said project to completion, such report to be accompanied by an estimate of the cost of said project. A copy of such report, plans and estimates shall be kept on file in the office of the board and open for inspection by all interested persons or parties. Such plans and reports may thereafter be modified at any regular meeting of the board by an affirmative vote of a two-thirds majority of all the members of said board.

SEC. 18. The board of directors shall have the power and it shall be its duty to manage and conduct the business affairs of the water conservation district; to adopt a seal; to make and execute all necessary contracts; to employ and appoint such agents, officers and employees as it may require and prescribe their duties and fix their compensation. The board shall have the right to enter upon any lands to make surveys, locate works or for any other necessary and lawful purpose. The board shall have the power to construct, maintain, improve and operate the necessary dams, reservoirs and works for the storage and distribution of water and any drainage, flood control and reclamation works connected therewith, and to provide for the generation and distribution of hydro-electric energy incidental to such storage and distribution.

The board shall also have the right to acquire by purchase, lease or contract, all lands, water, water rights or any use thereof or interest therein, and any other property or rights by it deemed necessary for the construction, maintenance, improvements and operation of the works or the carrying out of the project of the water conservation district, including the property and rights of private owners and stock of corporations.

Said board may also enter into, and do any act necessary or proper for the performance of, any agreement with any county, district, public corporation, or municipality of any kind, for any purpose appertaining to, or beneficial to, the project of the water conservation district, and may acquire the right to store water in any reservoir; or to carry water through any canal, ditch or conduit not owned or controlled by such water conservation district, and may grant to the owner or lessee of a right to the use of any water, permission to store such water in any reservoir of the water conservation district, or to carry such water through any canal, ditch or conduit of the water conservation district.

The said board is hereby authorized and empowered to take conveyances, leases, contracts or other assurances for all property acquired by it under the provisions of this act, in the name of such water conservation district, to and for the use and purposes herein expressed, and to institute and maintain all actions and proceedings, suits at law or in equity necessary or proper in order to fully carry out the provisions of this act; or to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act or acquired in pursuance thereof. All contracts and other documents executed by the board shall be signed by its president and its secretary, under seal and in all actions, suits or proceedings the said board may sue, appear and defend in person or by attorneys and in the name of such water conservation district.

The said board shall have power generally to perform all such acts as may be necessary to fully carry out the provisions of this act.

SEC. 19. The board of directors shall have the right and power to acquire by condemnation all lands, waters, water rights, or any use thereof, or interest therein, and any other property or rights, except the property or rights of the units thereof, by it deemed necessary for the construction, maintenance, improvement and operation of the works, or the carrying out of the project of the water conservation district. In the case of condemnation proceedings the board shall proceed in the name of the water conservation district under the provisions of section fourteen of article one as amended of the constitution of the State of California, and title seven, part three of the Code of Civil Procedure of California, and all pleadings, proceedings and process in said title provided it shall be applicable to the condemnation proceedings hereunder.

The board of directors shall have power to construct the said works across or intersecting any stream of water, water course, street, avenue, highway, railway, canal, ditch, or flume, in such manner as to afford security for life and property; but said board shall restore the same, when so crossed or intersected, to its former state as near as may be, or in a sufficient manner not to have impaired unnecessarily its usefulness; and every company whose railroad shall be intersected or crossed by said works shall unite with said board in forming said intersections and crossings, and grant the privileges aforesaid; and if such railroad company and said board, or the owners and controllers of said property, thing, or franchise to be so crossed, can not agree upon the amount to be paid therefor, or the points or the matter of said crossings or intersections, the same shall be ascertained and determined in all respects as is herein provided in respect to the taking of land. The right of way is hereby given, dedicated, and set apart for the location, construction, and maintenance of said works over and through any of the lands which are now or may be the property of this state; and also there is given, dedicated, and set apart, for the uses and purposes aforesaid, all waters and water rights belonging to this state within the district.

SEC. 19a. The board of directors shall proceed to carry out the project of the district in accordance with the plans and specifications of the duly approved and adopted report of the board.

When such work is to be done said board shall give notice by publication thereof in the county in which the office of said board is located once a week for four successive weeks, calling for bids for same. If less than the whole work provided for in said plans and specifications is to be done and advertised, the portion to be done must be particularly described in said notice. Said notice shall refer to the plans and specifications of the work to be done and state that the same can be seen at the office of the board and that the board will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place for opening said proposals, which at the time and place appointed shall be opened in public, and as soon as convenient thereafter the board shall let said work, either in portions or as a whole, to the lowest responsible bidder; or it may reject any and all bids and re-advertise for proposals or may proceed to construct the works under its superintendence; *provided*, that in case of emergency or urgent necessity the board of directors, by unanimous vote of those present (provided there is a quorum present) at any regular or special meeting, may award contracts without advertising for bids, but the amount of said contract so awarded shall not exceed fifty thousand dollars (\$50,000.00). All contracts for the purchase of material shall be awarded to the lowest responsible bidder, provided the purchase price of such material is in excess of fifty thousand dollars (\$50,000.00).

Any person or persons to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties, to be approved by the board, payable to the water conservation district for its use, for 25 per cent of the amount of the contract price, conditioned for the full and faithful performance of said contract.

The work shall be done under the direction and to the satisfaction of and be approved by the board.

It shall be the duty of the board to see that all contractors doing work for the conservation district carry compensation insurance on all employees.

SEC. 20. Each of the constituent districts or units of a water conservation district is hereby expressly authorized to vote, issue and sell its bonds for the purposes herein provided in this act, and said bonds are to be in all respects of the same force and effect, and of the same priority as a lien on property as other bonds voted, issued and sold by such constituent district or unit under the particular law or laws governing the voting, issuance and sale of bonds by such constituent district or unit.

SEC. 21. If the amount originally contributed and paid into said water conservation district by said constituent districts or units shall be insufficient to complete the system and works of said project, the board of directors of said water conservation district, shall thereupon estimate and determine the amount required to complete said system and works, according to the original plans and specifications thereof, and shall thereupon apportion and allot to each of said constituent districts or units, its proper proportion of said additional cost of the completion of said system and works of said project; said apportionment shall be made upon the same basis as the original apportionment of the cost of construction of said system and works of said

project, as is provided for in this act, and thereupon, the said board of directors shall, by resolution, duly adopted and entered upon the minutes of said board of directors of said water conservation district, make requisition upon each of said constituent districts or units for its proportion of said additional cost, and a copy of which said resolution, duly certified to, shall be served upon the secretary or other officer of the governing board of each constituent district or unit. Upon receiving said copy of said resolution, it shall be the duty of the governing board of each of said constituent districts or units, and each of said constituent districts or units is hereby given the power to levy, assess and collect an assessment in the amount called for by said resolution and requisition, which said amount shall be levied, assessed and collected in like manner as the levy, assessment and collection of assessments under the particular law or laws governing the levy, collection and assessment of assessments of each of the said respective constituent districts or units.

SEC. 22. The board of directors of said water conservation district is hereby expressly given the power, and it shall be its duty, from time to time, as occasion may require, to estimate and determine the amount of money required, after the completion of said project, for the maintenance, repair and operation of said system and works and also for the expenses of the management and operation of said water conservation district, and shall also fix and allot the proportion of said estimated amount to be borne or paid by each of said constituent districts or units, which said allotment or apportionment, shall be in the same proportion to each of said constituent districts or units, as the apportionment or allotment of the original cost of said project, as hereinbefore provided for. The board of directors of the water conservation district shall thereupon, by resolution, entered in its minutes, make requisition upon each constituent district or unit, for its proportion of said additional cost and expense, a copy of which said resolution duly certified, shall be served upon the secretary or other officer of the governing board of each constituent district or unit.

Upon receiving said resolution, it shall be the duty of the governing board of each constituent district or unit, and each constituent district or unit is hereby given the power to levy, assess, collect and pay over to said water conservation district, the amount of its proportion of said additional cost and expense. Such assessments shall be levied, assessed and collected by each constituent district or unit in like manner as the levy, assessment and collection of assessments, under the particular law or laws, governing the levy, assessment and collection of assessments of each of the said respective constituent districts or units.

Each constituent district or unit, in lieu of levying, assessing and collecting an assessment for the purpose of raising funds to pay its amount or share of any apportionment or allotment, as provided for in section twenty-one of this act, may vote, issue and sell bonds for the purpose of raising said funds, and each of said constituent districts or units is hereby expressly given and granted the power to vote, issue and sell bonds for said purpose.

SEC. 23. Whenever the board of directors of any constituent district or unit of a water conservation district, shall by resolution, declare that it deems it desirable that any contemplated or outstanding bonds of such constituent district or unit issued under the provisions of this act, including any bonds of such constituent district or unit authorized but not sold, shall be available, for the purpose provided for in section seven of an act of the legislature of the State of California, entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies, and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, as amended, the said board of directors shall thereupon file a certified copy of such resolution with the commission created by, and provided for in, said act of June 13, 1913, which commission, and the state controller in connection therewith, are hereby given the same power and authority in respect of the investigation and certification of bonds issued by any constituent district or unit, under this act as is given to them in respect of the investigation and certification of irrigation district bonds by said act, as amended, except as the same may be limited by, or inconsistent with, any provision of this act, and bonds of any constituent district or unit provided for in this act which have been so investigated and certified and by authority of such investigation and certification are declared to be legal investments for the purposes stated in said act of June 13, 1913, as amended, may be lawfully purchased, or received in pledge for loans by savings banks, trust companies, insurance companies, guardians, executors, administrators, and special administrators, or by any public officer or officers of this state or of any county, city, or city and county, or other municipal or corporate body within this state having or holding funds which they are allowed by law to invest or loan.

SEC. 24. For the purposes of this act each calendar year shall be divided into two (2) fiscal periods, the first period consists of the first six (6) months of the year, and the second period consists of the second six (6) months of the year, and at the regular monthly meeting of March and September of each year, the water con-

servations district board shall estimate and determine the amount of money that said conservation district will require for the purposes provided by this act during the next succeeding fiscal period, and any requisition herein provided for in this act to be made by the water conservation district upon any of said constituent districts or units for the payment to said water conservation district of its proportional share of the amount of money required by said estimate and determination of said board of directors of said water conservation district shall be made at the beginning of said first period, and it shall thereupon be and become the duty of each of the said constituent districts or units to pay the same to said water conservation district before the commencement of the next succeeding fiscal period.

SEC. 25. All claims against the water conservation district shall be paid by warrants of said water conservation district. Said warrants must be signed by the president and secretary of the board and drawn on the treasurer of the conservation district and paid by him out of the funds of such conservation district and said treasurer shall make a monthly report to the board of the money received by him of the amounts expended and the total sum on hand.

SEC. 26. No director or officer of the conservation district shall in any manner be interested directly or indirectly in any contract awarded or to be awarded by the board, or in the profits to be derived therefrom; and for the violation of this provision such director or officer shall be deemed guilty of a misdemeanor, and conviction shall work a forfeiture of his office, and he shall be punished by a fine, not to exceed five thousand dollars, or for imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

SEC. 27. The board of directors or other officers of a water conservation district shall have no power to incur any debt or liability whatever, either by issuing bonds or otherwise, in excess of the express provisions of this act; any debt or liability in excess of such provisions shall be and remain absolutely void; *provided*, that nothing contained in this section shall be construed as limiting the right of the board to enter into any contract for the use or lease of any lands, water, water rights or other property, as in this act provided and by such lease or contract to bind the district for the payment of the rentals or consideration specified in such lease or contract.

SEC. 28. The board shall have power and it shall be its duty to distribute to each of the units of a conservation district the proportion of stored water to which it is entitled at its point of diversion from the stream, and may use a stream or natural water course for such purpose. The board shall also have power and it shall be its duty to distribute to the units of a conservation district the proportion of hydro-electric energy to which it is entitled and may desire for its use within such unit, same to be delivered at the place where it is generated; and all hydro-electrical energy not so distributed shall be sold by the board of directors of the conservation district, and the proceeds resulting from such sale shall be distributed to the units in accordance with their respective interests therein.

SEC. 29. The board of directors of a water conservation district shall not have the power to modify, change or alter the distributing system or works of any of the constituent districts or units nor shall said board of directors have any jurisdiction or control over the distribution of water to the land owner within the boundaries of any of the constituent districts or units. Nor shall said board have the power to condemn by law the water, water rights or other property of a constituent district or unit without first having obtained a written consent of the managing board of such constituent district or unit.

SEC. 30. The rights of way, ditches, flumes, pipelines, drains, water rights, reservoirs and other property used for the purposes of a water conservation district and belonging to it shall not be taxed nor assessed for state, county or municipal purposes.

It is hereby declared that the State of California has a paramount interest in the storage, conservation and diversion of water, the prevention of floods, the irrigation, drainage, and reclamation of land, and the production of electric energy; and that such storage, conservation, diversion, irrigation, prevention of floods, reclamation, drainage, and production of electric energy will make productive vast quantities of land that are comparatively unproductive and will increase production, property valuations, and population in the state, make profitable the cultivation of small tracts and promote subdivision of larger tracts, and will promote the welfare and prosperity of all the people. The powers herein conferred upon the state irrigation board and the board of directors of a water conservation district and all other powers herein conferred are hereby declared to be police and regulatory powers and are necessary to the accomplishment of a purpose that is indispensable to public interests. The use of all water required for the irrigation of the lands of any district formed under the provisions of this act and for domestic and other incidental and beneficial uses within such district, together with the rights of way for canals and ditches, sites for reservoirs and all other property required in fully carrying out the provisions of this act is hereby declared to be a public use, subject to the regulation and control of the state, in the manner prescribed by law.

SEC. 31. The state irrigation board and the board of directors of every water conservation district shall, respectively, cause to be entered in books to be kept for that purpose a complete and connected record of all their acts and transactions,

which shall be kept and preserved on file in their respective offices and open to inspection by the public during business hours. Said records and all documents, instruments, or other papers filed as above provided, or a copy or copies of any thereof certified to by the secretary of the state irrigation board or the secretary of the board of directors of the water conservation district, shall be received in evidence without further proof in any court of this state, or before any board or tribunal authorized to hear or consider a matter wherein the same shall be properly admissible in evidence.

During the construction of any works in carrying out the project of any water conservation district, the board of directors of such district shall, at least every sixty (60) days, forward to the state engineer, a report of the progress of such construction, together with a statement of the amount or amounts paid for the doing of such work. The board of directors of a water conservation district, at their regular monthly meeting in January of each year, shall render and immediately thereafter, cause to be published in the county where the office of said board is situated, at least once a week, for two successive weeks, a verified statement of the financial condition of the district, showing particularly the receipts and disbursements of the last preceding year, together with the source of such receipts and the purpose of such disbursements.

Immediately after the publication of such statements, the board of directors of the water conservation district shall cause a copy thereof, recommended by a report stating the progress of the work under construction and the general condition of the project, and whether or not the same is being satisfactorily and successfully carried out and any other matter which the board may deem proper to be filed with the state engineer who shall examine said statement and report and make to the board of directors such recommendations and comments as he may deem proper and may publish said recommendations and comments in such manner as may be deemed advisable. Said state engineer may at any time make or cause to be made an examination of the affairs of any water conservation district within the state or call upon the board of directors of such district for such information as he may desire, and may make and publish such report thereon as he may deem advisable.

SEC. 33. The legal title to all property acquired under the provisions of this act shall by operation of law, immediately upon the acquisition thereof, vest in the water conservation district by which it is acquired, and shall be held by such district in trust for the uses and purposes set forth in this act, and is hereby dedicated and set apart to said uses and purposes. The board of directors is hereby authorized and empowered to hold, use, manage, occupy, and possess said property and may determine by resolution duly entered upon its minutes, that any property, real or personal, held by the district is not necessary for the uses and purposes thereof and may sell the same for an adequate consideration; and a conveyance or transfer of any of the property of a district executed by the president and secretary of its board of directors in pursuance of a resolution of the board adopted as above provided, shall convey good title to the property.

SEC. 34. Nothing in this act contained shall be so construed as to affect or impair the vested right of any person, association, or corporation to the use of water.

SEC. 35. This act shall be known and may be referred to in any action, proceeding, or legislative enactment, as the "California Water Conservation District Act."

SEC. 36. If any section, subdivision, sentence, clause, or phrase of this act be for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act, and the legislature hereby declares that it would have passed this act and each and every other section, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses, or phrases of this act be declared unconstitutional.

SEC. 37. This act shall take effect from and after its passage and approval.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 7.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the word "corporation" and insert in lieu thereof the word "corporation".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 13, 14, and 15, of the printed bill, strike out the following: "fifty-four hours in any one week or for more than six days in any one week", and insert in lieu thereof the following: "one hundred and eight hours in any two consecutive weeks, nor on more than twelve days in any such two consecutive weeks".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, lines 21 and 22, of the printed bill, strike out the following: "fifty-four hours in any one week or for more than six days in any one week", and insert in lieu thereof the following: "one hundred and eight hours in any two consecutive weeks, nor on more than twelve days in any such two consecutive weeks".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block books.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 7, add the following:

"1. The county clerk, one thousand five hundred dollars per annum and such fees for services in naturalization proceedings as by act of congress, in such case made and provided it is said he may retain; and also such other fees as he may be allowed by the law of this state to retain; and provided, that in each year when a new registration is required he shall receive in addition to his salary the sum of ten cents for each elector registered, which amount shall by the board of supervisors at the close of registration preceding a general election, be paid from the general fund of the county; and provided, further, that in counties of this class there shall be and is hereby allowed to the county clerk a deputy, who shall be appointed by the county clerk, who shall be paid a salary of one hundred twenty-five dollars per month, said salary to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county clerk is paid; and provided, further, that in counties of this class there shall be and is hereby allowed to the county clerk a copyist, for service in his office which office of copyist for the county clerk is hereby created, said copyist to be appointed by the county clerk and said copyist shall receive as compensation for his services the sum of nine hundred dollars per annum, to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officers are paid. The changes effected by this subdivision shall apply to the incumbents.

2. The sheriff, four thousand two hundred dollars per annum, and mileage for the services of papers or process served by him in all civil cases from any court, also necessary expenses for pursuing criminals or transacting any criminal business.

3. The recorder, one thousand eight hundred dollars per annum, and all fees and commissions allowed by law to the registrar for preparing vital statistics for the State of California and also the sum of twenty-five dollars per annum for

preparing the abstract of mortgages for use of the county assessor as required by law: *provided* that in counties of this class there shall be, and is hereby allowed to the recorder a deputy to be appointed by him and who shall receive a salary of nine hundred dollars per annum, said salary to be paid by said county in equal installments at the same time and in the same manner as the salary of the recorder is paid.

4. The auditor, nine hundred dollars per annum and five per cent of all amounts to have been paid out by the county for state aid as per his report as contemplated by section 1099a of the Political Code of this state or other law providing for such compensation.

5. The treasurer, one thousand eight hundred dollars per annum; and such fees and commissions as now are, or hereafter may be allowed by law.

6. Tax collector, five hundred dollars per annum and such fees as now are or hereafter may be allowed by law.

7. The assessor, three thousand five hundred dollars per annum and such fees as now are or hereafter may be allowed by law.

8. The district attorney, one thousand eight hundred dollars per annum.

9. The coroner, such fees as are now, or hereafter may be allowed by law.

10. The public administrator, such fees as are now, or hereafter may be allowed by law.

11. The superintendent of schools, one thousand eight hundred dollars per annum, and actual traveling expenses when visiting the schools of his county and also the sum of five dollars per day for his services as secretary of the board of education for the actual time that the board may be in session.

12. The surveyor, such fees as are now or may hereafter be allowed by law.

13. For the purpose of regulating the compensation of justices of the peace, the townships of counties of this class are hereby classified according to population, as follows:

Townships having a population of two thousand five hundred or more shall belong to and be known as townships of the first class; townships having a population of one thousand two hundred and less than two thousand five hundred shall belong to and be known as townships of the second class; townships having a population of less than one thousand two hundred shall belong to and be known as townships of the third class.

For the purpose of this section, the population of the several judicial townships shall be ascertained by the board of supervisors, by multiplying by three the number of registered voters in each township at the last general election.

14. Justices of the peace shall receive the following salaries: In townships of the first class, the sum of nine hundred dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1923, and thereafter a salary of nine hundred dollars per annum; in townships of the second class, the sum of two hundred forty dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1923, and thereafter a salary of two hundred forty dollars per annum; in townships of the third class, the sum of twelve dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1923, and thereafter a salary of twelve dollars per annum.

Such salaries shall be paid in the same manner and out of the same fund as the salaries of county officers are paid and shall be compensation in full for all services rendered.

15. Constables, such fees as are now or may hereafter be allowed by law.

16. Each member of the board of supervisors, nine hundred dollars per annum and twenty cents per mile for traveling from his residence to the county seat, also his actual necessary expenses while acting as ex officio or as overseer or commissioner not to exceed three hundred dollars in any one year.

17. Each member of the board of education shall receive five dollars per day as compensation for his services while in actual attendance upon said board, and mileage at the rate of twenty cents a mile one way only, from his residence to the place of meeting of said board. Said compensation of the members of said board shall be paid out of the same fund as the salary of the superintendent of schools is paid. Claims for such service and mileage shall be presented to the board of supervisors and shall be allowed at the rate above named in the same manner as other claims against the county are allowed. The compensation of the members of the county board of education herein provided for is not in addition to that provided in section one thousand seven hundred seventy of this code.

18. In the superior court, juror's fees, and witnesses' fees in criminal cases shall be allowed as follows:

For attending as a grand juror, for each day's attendance, three dollars, and fifteen cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

For attending as a trial juror in criminal cases, for each day's actual attendance, three dollars, and fifteen cents per mile for each mile actually traveled in going only.

and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

For attendance as a witness in criminal cases, for each day's attendance the sum of two dollars, and fifteen cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such witness for said per diem and mileage, and the treasurer shall pay the same; *provided, however*, that in criminal cases such per diem and mileage shall only be allowed upon a showing to the court by the witness, that the same are a necessary expense of the witness in attending, and the court shall determine the necessity for the same, and may disallow any fees to a witness unnecessarily subpoenaed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which said water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

On motion of Senator Chamberlin, Senate Bill No. 538 was passed on file.

Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6, line 41, of the printed bill, strike out the word "emloy" and insert in lieu thereof the word "employ".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 10 of the printed bill, after line 46, add the following:

"44. To employ traffic officers to enforce the speed and traffic regulations of the state motor vehicle act and of local traffic rules and ordinances, which officers shall have power to make arrests for all violations thereof; to fix and provide for the salaries of such traffic officers, which salaries shall be paid in the same manner and at the same time as the salaries of county officers are paid."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 82 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—28.

NOES—Senators Chamberlin, Hughes, Johnson, A. B., and Nelson—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sharkey, Slater, Swing, and West—28.

NOES—Senators Chamberlin, and Dennett—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and

making an appropriation for the use of said fund," approved June 16, 1913, as amended.

In the absence of the author, Bill No. 354 was ordered passed, to retain its place on the file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code, providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature.

On motion of Senator Crowley, Senate Constitutional Amendment No. 6 was passed on file.

Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knights Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 349 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Denmett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 350 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsfil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 352 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Chamberlin, Creighton, Godsfil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 488—An act to amend section 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* of the Political Code, relating to agriculture.

On motion of Senator Osborne, Senate Bill No. 488 was passed on file.

Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

In the absence of the author, Bill No. 462 was ordered passed, to retain its place on the file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVENTEEN (OUT OF ORDER).

Senator Inman asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 17 for consideration at this time, out of the regular order:

Senate Concurrent Resolution No. 17—Relative to leave of absence of E. L. Dow from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Senate Concurrent Resolution No. 17 ordered transmitted to the Assembly.

Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 274 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said state by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley Senate Bill No. 192 was passed on file.

Senate Bill No. 497—An act to amend section 384 of the Political Code, relating to fires.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 497 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creat-

ing a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 498 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Chamberlin, Crowley, Dennett, Gates, Dr. Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Imman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator McDonald moved to reconsider the vote whereby Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed—was adopted.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator McDonald, the further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 18 was adopted was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—

(RESUMED).

Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Ingram moved to refer Senate Bill No. 119 to Senator Johnson, M. B., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out lines 35 to 41, both inclusive, and insert in lieu thereof the following: "provided by law under execution, and enough of the proceeds to satisfy the lien and costs shall be paid into the state treasury and deposited to the credit of the state board of forestry. The overplus if there be any shall be paid to the owner of the property, if he be known, and if not, into the court for his use when ascertained."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 119, with instructions to amend, respectfully reports the same back, amended as per instructions.

JOHNSON, M. B., Special Committee.

Report read, and on motion of Senator Ingram, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Bill read third time.

On motion of Senator Ingram, Senate Bill No. 408 was passed on file.

Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry Contingent Fund.

Bill read third time.

On motion of Senator Powers, Senate Bill No. 424 was passed on file.

Senate Bill No. 46—An act to amend section 1 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

Bill read third time.

On motion of Senator Creighton, Senate Bill No. 46 was passed on file.

Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

In the absence of the author, Senate Bill No. 456 was ordered passed, to retain its place on the file.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519*c*, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

In the absence of the author, Senate Bill No. 138 was ordered passed, to retain its place on the file.

Senate Bill No. 489—An act to repeal section 1617½ of the Political Code, relating to the selling or leasing of school property unoccupied by any public school, by boards of education and boards of trustees of certain school districts and certain union or joint union high school districts; to add a new section to the Political Code to be numbered 1617½, relating to the selling or leasing of real property upon which no public school is being maintained, by boards of education or boards of trustees of any school district or any high school district in the State, of whatever kind or class; and to approve, confirm, ratify and validate all sales or leases of real property upon which no public school was being maintained, heretofore made or purporting to have been made in reliance upon the provisions of said section 1617½ of the Political Code by boards of education or boards of trustees of school districts or of high school districts of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 passed by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 154—An act to amend an act entitled, "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35a and 49a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

On motion of Senator Hart, Senate Bill No. 154 was passed on file.

Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 400 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR INMAN IN THE CHAIR.

At twelve o'clock and forty-five minutes p.m., Senator Inman of the seventh district was called to the chair.

Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16,

1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

On motion of Senator Carr, Senate Bill No. 291 was passed on file.

Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 220 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Croighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 593 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Croighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, and Swing—32.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the superior court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the Juvenile Court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act.

On motion on Senator Hurley, Senate Bill No. 6 was passed on file.

Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of In-

dustry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

On motion of Senator Carr, Senate Bill No. 289 was passed on file.

Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

On motion of Senator Carr, Senate Bill No. 290 was passed on file.

Senate Bill No. 150—An act to amend section 171 of the Code of Civil Procedure, relating to the prohibition of judges from practicing law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 150 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—32.

NOES—Senator Carr—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 152 passed by the following vote:

AYES—Senators Allen, Ariackle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Sample, Slater, Swing, and West—29.

NOES—Senator Chamberlin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 685—An act to amend section 860 of the Penal Code relating to examinations before committing magistrates and filing of informations by the District Attorney.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 685 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

• Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Burnett moved to refer Senate Bill No. 29 to Senator Boggs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 20, line 8, of the printed bill, strike out from and including the word "Height" down to and including the word "feet" at the end of line 17, same page, and insert in lieu thereof the following:

Height of buildings in stories based on the full number of stories in the building, measured upwards from and including the lowest story in which there is a guest room or guest rooms, or dormitory or dormitories	Minimum width of inner court in every story	Minimum height of inner court
1 and 2 stories.....	5 feet	9 feet
3 stories.....	7 feet	10 feet
4 stories.....	10 feet	12 feet
5 stories.....	10 feet	16 feet
6 stories.....	12 feet	18 feet
7 stories.....	14 feet	20 feet
8 stories or more.....	16 feet	22 feet

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 29, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Burnett, adopted.

Bill ordered to print, and re-engrossment.

MOTION TO RESCIND.

Senator Burnett moved to rescind the action of the Senate in amending Senate Bill No. 29, and recall it from print and re-engrossment to retain its place on file.

Motion carried.

Senate Bill No. 522—An act to amend section 647 of the Civil Code, defining the various classes of securities upon which a building and loan association may invest or borrow.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 522 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 551—An act to permit and regulate the deposit of money of counties, municipalities and irrigation districts with building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 551 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—32.

NOES—Senators Hart, and Lyon—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 491 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOURLY RECESS EXTENDED.

At one o'clock p.m. the hour of recess was extended until one o'clock and thirty minutes p.m.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the State of Arizona opposite the town of Topoe, Arizona, to be a State highway.

On motion of Senator Swing Senate Bill No. 305 was passed on file.

Senate Bill No. 275—An act to declare a certain road between Bakersfield and Mojave a State highway and make an appropriation therefor.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Creighton moved to refer Senate Bill No. 275 to Senator Hurley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title following the word "act", all of line 2 thereof and insert the following: "declaring and establishing a state highway between Bakersfield and Mojave, in Kern county".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the period, all of lines 2 to 26, both inclusive, and all of pages 2, 3, 4, 5, 6 and 7, and insert in lieu thereof the following: "That certain highway beginning at the easterly city limits of Bakersfield and continuing in a general southeasterly direction along the present county highway through Edison, Tehachapi and Monolith, to Mojave is hereby declared to be and the same is hereby constituted a state highway, and the same is hereby placed under the supervision and control of the California highway commission of the state department of public works; *provided*, that the said state department

of public works acting by and through said California highway commission, is empowered and authorized to make all necessary surveys for and to change the route and location of said highway between the said termini whenever and wherever and to such extent as it may deem such action expedient and in making any such change or route or location it may in its discretion, by formal resolution vacate or abandon as state highway the whole or any portion of said county highway between said termini which may not be included within such changed route or location."

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 275, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, *Special Committee.*

Report read, and on motion of Senator Hurley, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

On motion of Senator West, Senate Bill No. 45 was passed on file.

Senate Bill No. 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 686 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 193—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health.

On motion of Senator Osborne, Senate Bill No. 193 was passed on file.

Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 416 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20a, providing for the alteration of the boundaries of drainage districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 19 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace;

Also: Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership: 9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Senate Bills Nos. 41 and 76 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the Constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1913, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Senate Bill No. 40 ordered on file for second reading.

ADJOURNMENT.

At one o'clock and thirty-five minutes p.m., on motion of Senator Sample, Senator Inman declared the Senate adjourned until Monday, March 26, at eleven o'clock a. m.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Monday, March 26, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 23, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator West was, on motion of Senator Arbuckle, granted leave of absence for this day.

Senator Rominger was, on motion of Senator Chamberlin, granted leave of absence for this day.

Senator Ingram was, on motion of Senator M. B. Johnson, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Geo. A. Malley of Healdsburg.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following principal and pupils of Needham Grammar School of Lodi:

Principal—W. H. Brinkman. Pupils—Robert Fuller, Estelle Liter, Florence Hutchinson, Florence Phelps, Myron Tower, Nathan Archer, Norton Archer, Robert Pickering, Marie Ricketts, Ruth Rinn, Paul Rinn, Adele Brinkman, Mrs. Dr. Tower, Kathrine Davis, Annie Buttle, and Jennie Dotson.

PETITIONS.

The following petitions were presented by Senator McDonald, and ordered printed in the Journal:

We favor the New Pension Law as presented by the San Francisco Teachers' Association, and endorsed by the Legislative Committee of the California Teachers' Association—Senate Bill No. 127.

JEANETTE BARROWS, Berkeley,
And 18 others.

Also:

LOS ANGELES SCHOOL FOR THE DEAF,
LOS ANGELES, Cal., March 9, 1923.

Senator Walter A. McDonald, Sacramento.

MY DEAR SIR: There are six public day schools for the deaf in California, employing twenty-three teachers. Out of that number there are sixteen who before coming to California received their teaching experience in state schools for the deaf

outside of California. These teachers have been certificated by your State Board and have met the requirements of local school boards. Yet, in the Public School Teachers' Retirement Salary Fund bill about to be presented to the Legislature, now in session, no recommendation is made that any teacher of the deaf in California, with experience as stated above, be given credit for such experience so as to receive a teacher's pension at the end of thirty years of teaching.

In other words: because their teaching experience was received in state schools outside of California instead of day schools, they will be debarred from receiving the pension after thirty years' experience under the laws of the Retirement Salary Fund bill as it now reads.

To present to you an hypothetical case: Miss Smith comes to California with fifteen years of experience obtained in the New York Institution for the Deaf. She teaches in the Los Angeles Day School for the Deaf for fifteen years and then applies for the pension to which she is entitled after thirty years of experience. It is refused her on the ground that she had only state school experience until she came to California and that the Teachers' Pension Act contains no clause covering her case, so that Miss Smith must teach fifteen years more in order to obtain the pension paid after thirty years' experience.

If Miss Smith's experience, during the fifteen years before she came here, had been received in a public day school, no difficulty would have been encountered.

California has no training school for teachers of the deaf, so that they are obtained from other sections of the country and we feel that our experience in other states should be recognized by the Teachers' Pension Fund and included with that of other teachers whose experience is provided for by the pension after thirty years of teaching.

A clause has been added to Senate Bill No. 127 which will give the teachers of the deaf credit for their former experience in state schools.

As the representative of the teachers in the day school here, I have been requested by them to ask for your assistance in the Senate when this bill comes before the Senate.

Assembly Bill No. 975, presented by Mr. Edwin Baker, of Los Angeles, is introduced in the interest of teachers of special schools of California, who have not yet received credit for former experience in state schools under the Retirement Salary Act.

The teachers of the deaf will greatly appreciate it if you will give them your assistance by voting for these bills—Senate Bill No. 127 and Assembly Bill No. 975.

Thanking you, I am

Yours very truly,

NELLIE C. CLAYTON,

And 11 others.

REPORTS OF STANDING COMMITTEES.

The following reports of the standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities and cities and counties for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

OSBORNE, Chairman.

Senate Bill No. 81 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 70—An act to amend section 2605 of the Political Code, relating to San Diego Bay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—5; noes—1; absent—5.

OSBORNE, Chairman.

Senate Bill No. 70 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego, to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; noes—1; absent—4.

OSBORNE, Chairman.

Assembly Bill No. 93 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2600, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

OSBORNE, Chairman.

Senate Bill No. 69 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—5; noes—1; absent—5.

OSBORNE, Chairman.

Senate Bill No. 237 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 26, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley Irrigation District under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended:

Also: Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of March, 1923, at eleven o'clock and thirty minutes a.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests;

Also: Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the pay roll of the Senate:

Agnes Shearer, Stenographer ----- \$5 00 per day

Resolution read, and on motion of Senator Breed, adopted.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolutions were introduced:

By Senators Slater, Handy, and Nelson: Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California.

Senate Joint Resolution No. 16 referred to Committee on Federal Relations.

By Senator Sample: Senate Concurrent Resolution No. 19—Relative to approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the 20th day of March, 1923.

Senate Concurrent Resolution No. 19 referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 538—An act to add a new section, to be numbered section 467a, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

On motion of Senator Chamberlin, Senate Bill No. 538 was passed on file.

Senate Bill No. 123—An act to amend section 1616 of the Political Code, relating to kindergartens.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the figures "1609," insert the following: "Boards of school trustees and city, and city and county boards of education shall have power, and it shall be their duty:

First—To employ a principal for each school under their control, and they may employ a district superintendent for one or more schools employing eight teachers or more under their control. In each city school district governed by a city board of education, such board may employ a city superintendent of schools and such deputy or assistant city superintendents as it may deem necessary and fix and order paid their compensation unless the same be otherwise prescribed by law. Any deputy city superintendent of schools, or assistant city superintendent of schools, or district superintendent may be elected for a term of four years.

Second—To employ the teachers (at an annual salary of not less than twelve hundred (1200) dollars) as provided in part fifth of this section; also to employ janitors and other employees of the school; to fix and order paid their compensation, unless the same be otherwise prescribed by law; *provided*, that no board shall enter into any contract with such employees, other than teachers, to extend beyond the close of the next ensuing school year; except that teachers may be elected on or after May second for the next ensuing school year and each teacher so elected shall be deemed re-elected from year to year, except as hereinafter specified; *provided*, that any teacher who shall fail to signify his acceptance within twenty days after notice of his election or employment shall have been given into by the clerk or secretary of the governing board of the school district, or shall have been mailed to him by such clerk or secretary by depositing such notice in the United States post office with postage thereon prepaid, addressed to such teacher at his last known place of address, shall be deemed to have declined the same. Any board of trustees, or city, or city and county board of education may arrange to pay the teachers or principals so employed by them in ten or eleven or twelve equal payments instead of by the school month; *provided, however*, that where the board of trustees or city or city and county board of education arranges to pay the teachers or principals so employed by them in twelve equal payments for the year, they shall begin such payments on the first day of the calendar month following the opening of schools for the current year in all cases where school is opened during the month of July, and in all cases where school is not opened during the month of July, the board of trustees or city boards or city and county boards of education may withhold such warrant or warrants which may have fallen due prior to the opening of school until the teachers or principals so employed by them shall have returned to the employment for which they were engaged by the board of school trustees or the city or city and county board of education and shall have resumed their respective duties, and then such payments shall be continued from month to month on the first day of each calendar month thereafter until said teachers have been paid the full amount due to them for that fiscal year; *provided*, that a teacher who serves less than a full school year is entitled to pro-rata salary only an amount that bears the same ratio to the established annual salary for such position as the time he teaches bears to the annual school term; *provided*, that whenever the first day of the month falls on a holiday, payment of teachers' salaries shall be made on the following day.

Third—To appoint, and, in their discretion, pay district librarians, and enforce the rules prescribed for the government of district libraries.

Fourth—To employ in their discretion supervisors of subjects and fix and order paid their compensation unless the same be otherwise prescribed by law.

Fifth—(a) To employ, as teachers, only persons who hold legal certificates for teaching in full force and effect, and on file at the time of such appointment in the office of the county superintendent of schools, to serve as substitutes, probationary or permanent teachers, and to give the county superintendent of schools immediate notice in writing of such employment on blanks furnished by the superintendent of public instruction, stating the name and address of each person thus employed.

(b) To fix and prescribe the duties to be performed by principals, teachers, librarians, janitors and all other employees in the school district.

(c) To classify as substitute teachers those persons employed as teachers from day to day for less than one school year, to fill positions of regularly employed teachers absent from service.

(d) To classify as probationary teachers those persons employed as teachers for the school year, and who have not been classified as permanent teachers, as hereinafter provided, such classification to be made at the time of employment, and thereafter in the month of July of each school year.

(e) To classify as permanent teachers all persons who shall have been successfully employed as teachers by the district for two consecutive school years at the time of classification; *provided*, also, that the two years of successful service shall have been performed in a district employing at least eight teachers under a principal who shall devote at least two hours per day to supervision in the school or schools under his control. Such classification shall be made at the end of the two years of such employment.

(f) To grant leaves of absence to teachers.

(g) To accept the resignation of any teacher and to fix the time when such resignation shall take effect, which date shall not be later than the close of the school year during which such resignation shall have been received by such board.

(h) To dismiss substitute teachers at any time at the pleasure of the board.

(i) To dismiss probationary teachers during the school year for cause only, as in the case of permanent teachers, except that on or before the tenth day of June in any year the governing board may give notice in writing to a probationary teacher that his services will not be required for the ensuing school year. Such notice shall be deemed sufficient and complete when delivered in person to the teacher by the clerk or secretary of the governing board of the school district or deposited in the United States registered mail with postage prepaid, addressed to such teacher at his last known place of address.

(j) To dismiss permanent teachers, principals, or supervisors of special subjects, except as hereinafter provided, only for one or more of the following causes, after a fair and impartial public hearing. Causes for dismissal are immoral or unprofessional conduct, incompetence, evident unfitness for teaching, persistent violation of or refusal to obey the school laws of California, or reasonable rules prescribed for the government of public schools.

Dismissal for cause shall be made only after the following provisions shall have been complied with: The governing board shall give at least ten days notice in writing to any permanent teacher or principal or supervisor of special subjects against whom charges shall have been preferred, which notice shall state fully the charges, and the time when and the place where such hearing is to be held.

The governing board shall hold such hearing under reasonable rules which it shall adopt, and the teacher against whom charges shall have been preferred shall have the right to be represented by counsel, and to call witnesses on his own behalf and take their testimony at the hearing and to cross examine all other witnesses who may testify at such hearing; *provided*, that such hearing shall be confined to charges only.

The board may dismiss any permanent teacher after a hearing as in this section provided, upon proof of the charges covering any one or more of the causes for dismissal enumerated in this section, upon the affirmative vote of the majority of the board. No member of the board shall be qualified to vote who has not been present throughout the entire hearing. Such trial shall have been concluded and the decision rendered within ten days after the beginning of said trial.

It is hereby provided, however, that whenever it becomes necessary to decrease the number of permanent teachers employed by a school district on account of the decrease in the number of pupils attending the schools of such district, or on account of the discontinuance of a particular kind of teaching service in such district, the governing board may dismiss such teacher or teachers at the close of the school year.

If the dismissal of such teacher or teachers shall become necessary on account of the decrease in the number of pupils attending the schools of the district, such teachers so dismissed shall be the teacher or teachers last employed by the district.

If the dismissal of such teacher or teachers shall become necessary on account of the discontinuance of a particular kind of teaching service in the district, the teacher or teachers so dismissed shall be the teacher or teachers engaged in the type of teaching work so discontinued. If such a course is reestablished within one year from the time of such discontinuance, the teacher or teachers so dismissed shall have the preferred right to appointment as teacher or teachers of such course.

The board shall give any teacher who shall be dismissed under this proviso a statement or honorable dismissal.

Nothing in this act shall be construed in such manner as to deprive any teacher of his rights and remedies in a court of competent jurisdiction on a question of fact and law.

Sixth—To provide in cities, and in cities and counties, having boards of education, and in other districts employing thirty or more teachers for the payment of the traveling expenses of any representative of the board of education, when performing services directed by said board.

All employments under the provisions of this section shall be subordinate to the right of the legislature to amend or repeal this section at any time, and nothing herein contained shall ever be held, deemed or construed to confer upon any person employed pursuant to the provisions hereof a contract which will be impaired by the amendment or repeal of this section."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 5 following the word "the", all of lines 6 and 7, and insert in lieu thereof the following: "county clerk to the

officers of each election precinct at the expense of the county: *provided, however* that the county clerk shall advertise for bids for such supplies and must award a contract for furnishing the same to the lowest responsible bidder who will give such security as the clerk may require, or the clerk may at his option reject all bids."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and on page 3 of the printed bill, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, and insert in lieu thereof the following:

"6. To visit and examine universities and schools in the State of California wherein the science of optometry is taught and to accredit such universities and schools, wherein the science of optometry is taught, whether within or without the State of California, as shall have been found to give a sufficient course of study for the preparation of optometrists: *provided, however*, that said board may accredit only the following universities or schools in which the science of optometry is taught:

(a) Such universities as give a standard course of optometry leading to the bachelor degree, and which are members of the American Association of Universities or the American Association of State Universities.

(b) Such schools as give a course of instruction covering and including the following minimum requirements, to wit:

General anatomy, 150 hours; general physiology, 100 hours; general mathematics, 150 hours; general physics, 150 hours; general optics, 100 hours; ocular anatomy, 100 hours; ocular pathology, 100 hours; theoretical optics, 300 hours; practical optics, 100 hours; theoretical optometry, 250 hours; practical optometry, 200 hours; hygiene, 50 hours; psychology, 50 hours; optical laboratory work, 100 hours; clinical work, 100 hours; total: 2,000 hours.

In the course of study herein outlined the hours required shall be actual work in the classroom, laboratory or clinic and at least eighty per cent of actual attendance shall be required and said course of study herein outlined, shall be so arranged as to require two years of actual attendance at said school for its completion."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word "qualifications" strike out the comma and insert "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, after the word "which" strike out "it" and insert "said title or designation".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out all of lines 8 to 11 both inclusive and insert in lieu thereof the following:

"SEC. 2. Nothing in this act shall be construed to authorize any person not licensed by the laws of this State to treat the sick or any foreign or itinerant "doctor" to advertise by mail or otherwise that he will treat the sick."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 14, of the printed bill, after the word "not" strike out the remainder of the line, on line 15, of the printed bill, strike out the word "not".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 16, of the printed bill, after the word "not" strike out "less than thirty days nor".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, of the printed bill, strike out lines 18, 19 and 20.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 21, of the printed bill, strike out "Sec. 5" and insert in lieu thereof, "Sec. 4".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 23, of the printed bill, strike out "Sec. 6" and insert in lieu thereof, "Sec. 5".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading

Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theatres and moving picture houses; and providing penalties for its violation," approved June 3, 1921.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the period following the figure "1" insert the following: "An act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses; and providing penalties for its violation" approved June 3, 1921, is hereby amended to read as follows:

Section 1. In the operating room of every theater and moving picture house there shall be provided running water and toilet facilities for the use of the operator.

In every municipality or other place having a sewer system adjacent to the building such toilet facilities in said operating room shall consist of a flush-tank

toilet and a wash-basin with running water. In any municipality or other place having no sewer system a dry-closet or other contrivance acceptable to the local health officer shall be installed in said operating room in place and stead of a flush-tank toilet. Any violation of the provisions of this act shall be deemed a misdemeanor and punishable by a fine of not less than twenty-five dollars for each offense, and it shall be a separate offense each day that an owner, manager, or lessee of a theater or moving picture house shall fail to comply with the provisions of this act.

Sec. 2. As used in this act the terms theaters, moving picture houses and moving picture show places include only such buildings or places as are used primarily as theaters or for the display of motion pictures.

Sec. 3. This act shall take effect and be in force on and after July 1, 1924."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 393.—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of page 3 of the printed bill and insert in lieu thereof the following:

"FOR A CERTIFICATE TO PRACTICE CHIROPODY.

Group 1. 117 hours.	
Anatomy	78 hours
Histology	39 hours
Group 2. 156 hours.	
Chemistry and toxicology	78 hours
Physiology	78 hours
Group 3. 103 hours.	
Bacteriology	39 hours
Hygiene	25 hours
Pathology	39 hours
Group 4. 44 hours.	
Diagnosis:	
Syphilis	20 hours
Dermatology	24 hours
Group 5. 215 hours.	
Manipulative and mechanical therapy:	
Didactic and clinical chiropody	136 hours
Orthopedics	20 hours
Surgery	59 hours
Group 6. 29 hours.	
Materia medica and therapeutics	29 hours
Total	664 hours

FOR A CERTIFICATE TO PRACTICE MIDWIFERY.

Group 1.	150 hours.	
Anatomy	-----	75 hours
Physiology	-----	75 hours
Group 2.	265 hours.	
Hygiene and sanitation	-----	100 hours
Obstetrics	-----	165 hours
Total	-----	415 hours

In the course of study herein outlined the hours required shall be actual work in the classroom, laboratory, clinic or hospital, and at least eighty (80) per cent of actual attendance shall be required; *provided*, that the hours herein required in any subject need not exceed seventy-five (75) per cent of the number specified, but that the total number of hours in all the subjects of each group shall not be less than the total number specified for such group."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 537—An act to amend sections 2 and 50a of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title 15 of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title strike out the "a" following the word "fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, after the period following the numeral 2, insert the following:

"(a) The term "commission," when used in this act, means the railroad commission of the State of California.

(b) The term "commissioner," when used in this act, means one of the members of the commission.

(c) The term "corporation," when used in this act, includes a corporation, a company, an association and a joint stock association.

(d) The term "person," when used in this act, includes an individual, a firm and a copartnership.

(e) The term "transportation of persons," when used in this act, includes every service in connection with or incidental to the safety, comfort or convenience of the person transported and the receipt, carriage and delivery of such person and his baggage.

(f) The term "transportation of property," when used in this act, includes every service in connection with or incidental to the transportation of property, including in particular its receipt, delivery, elevation, transfer, switching, carriage, ventilation, refrigeration, icing, dunnage, storage and handling, and the transmission of credit by express corporations.

(g) The term "street railroad," when used in this act, includes every railway, and each and every branch or extension thereof, by whatsoever power operated, being mainly upon, along, above or below any street, avenue, road, highway, bridge or public place within any city and county, or city or town, together with all real estate, fixtures and personal property of every kind used in connection therewith, owned, controlled, operated or managed for public use in the transporta-

tion of persons or property; but the term "street railroad," when used in this act, shall not include a railway constituting or used as a part of a commercial or interurban railway.

(h) The term "street railroad corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any street railroad for compensation within this state.

(i) The term "railroad," when used in this act, includes every commercial, interurban and other railway other than a street railroad, and each and every branch or extension thereof, by whatsoever power operated, together with all tracks, bridges, trestles, rights of way, subways, tunnels, stations, depots, union depots, ferries, yards, grounds, terminals, terminal facilities, structures and equipment, and all other real estate, fixtures and personal property of every kind used in connection therewith, owned, controlled, operated or managed for public use in the transportation of persons or property.

(j) The term "railroad corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any railroad for compensation within this state.

(k) The term "express corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in or transacting the business of transporting any freight, merchandise or other property for compensation on the line of any common carrier or stage or auto stage line within this state.

(l) The term "common carrier," when used in this act, includes every railroad corporation; street railroad corporation; express corporation; dispatch, sleeping car, dining car, drawing room car, freight, freight-line, refrigerator, oil, stock, fruit, car loaning, car renting, car loading and every other car corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating for compensation within this state; and every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any vessel engaged in the transportation of persons or property for compensation between points upon the inland waters of this state, or regularly engaged in the transportation of persons or property for compensation upon the high seas on regular routes between points within this state. The term "inland waters" as used in this subsection includes all navigable waters within the State of California other than the high seas.

(m) The term "pipe line," when used in this act, includes all real estate, fixtures and personal property, owned, controlled, operated or managed in connection with or to facilitate the transmission, storage, distribution or delivery of crude oil or other fluid substances except water through pipe lines.

(n) The term "pipe line corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any pipe line for compensation within this state.

(o) The term "gas plant," when used in this act, includes all real estate, fixtures, and personal property, owned, controlled, operated or managed in connection with or to facilitate the production, generation, transmission, delivery or furnishing of gas, natural or manufactured, for light, heat or power.

(p) The term "gas corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any gas plant for compensation within this state, except where gas is made or produced on and distributed by the maker or producer through his tenants and not for sale to others.

(q) The term "electric plant," when used in this act, includes all real estate, fixtures and personal property owned, controlled, operated or managed in connection with or to facilitate the production, generation, transmission, delivery or furnishing of electricity for light, heat or power, and all conduits, ducts or other devices, materials, apparatus or property for containing, holding or carrying conductors used or to be used for the transmission of electricity for light, heat or power.

(r) The term "electrical corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any electric plant for compensation within this state, except where electricity is generated on or distributed by the producer through private property alone solely for his own use or the use of his tenants and not for sale to others.

(s) The term "telephone line," when used in this act, includes all conduits, ducts, poles, wires, cables, instruments and appliances, and all other real estate, fixtures and personal property owned, controlled, operated or managed in connection with or to facilitate communication by telephone, whether such communication is had with or without the use of transmission wires.

(t) The term "telephone corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever owning, controlling, operating or managing any telephone line for compensation within this state.

(u) The term "telegraph line," when used in this act, includes all conduits, ducts, poles, wires, cables, instruments and appliances, and all other real estate, fixtures and personal property owned, controlled, operated or managed in connection with or to facilitate communication by telegraph, whether such communication is had with or without the use of transmission wires.

(v) The term "telegraph corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any telegraph line for compensation within this state.

(w) The term "water system," when used in this act, includes all reservoirs, tunnels, shafts, dams, dikes, headgates, pipes, flumes, canals, structures, and appliances, and all other real estate, fixtures and personal property, owned, controlled, operated or managed in connection with or to facilitate the diversion, development, storage, supply, distribution, sale, furnishing, carriage, apportionment, or measurement of water for power, irrigation, reclamation or manufacturing, or for municipal, domestic or other beneficial use.

(x) The term "water corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any water system for compensation within this state.

(y) The term "vessel," when used in this act, includes every species of water craft, by whatsoever power operated, which is owned, controlled, operated or managed for public use in the transportation of persons or property, except row-boats, sailing boats and barges under twenty tons dead weight carrying capacity, and vessels propelled by steam, gas, fluid naphtha, electricity, or other motive power under the burden of five tons net register.

(z) The term "wharfinger," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any dock, wharf or structure used by vessels in connection with or to facilitate the receipt or discharge of freight or passengers for compensation within this state.

(aa) The term "warehouseman," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any building, structure or warehouse in which merchandise other than second hand household goods or effects or commodities under cold storage, is stored for compensation within this state.

(bb) The term "heating plant," when used in this act, includes all real estate, fixtures and personal property owned, controlled, operated or managed in connection with or to facilitate the production, generation, transmission, delivery or furnishing of heat for domestic, business, industrial or public use.

(cc) The term "heat corporation," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any heating plant for compensation within this state, except where heat is generated on or distributed by the producer through private property alone solely for his own use or the use of his tenants and not for sale to others.

(dd) The term "public utility," when used in this act, includes every common carrier, pipe line corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, wharfinger, warehouseman, and heat corporation, where the service is performed for or the commodity delivered to the public or any portion thereof. The term "public or any portion thereof" as herein used means the public generally, or any limited portion of the public including a person, private corporation, municipality or other political subdivision of the state, for which the service is performed or to which the commodity is delivered, and whenever any common carrier, pipe line corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, wharfinger, warehouseman or heat corporation performs a service or delivers a commodity to the public or any portion thereof for which any compensation or payment whatsoever is received, such common carrier, pipe line corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, wharfinger, warehouseman or heat corporation is hereby declared to be a public utility subject to the jurisdiction, control and regulation of the commission and the provisions of this act. Furthermore, when any person or corporation performs any service or delivers any commodity to any person or persons, private corporation or corporations, municipality or other political subdivision of the state, which in turn either directly or indirectly, mediately or immediately, perform such service or deliver such commodity to or for the public or some portion thereof, such person or persons, private corporation or corporations and each thereof is hereby declared to be a public utility and to be subject to the jurisdiction, control and regulation of the commission and to the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out the "a" following the word "fifty".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, strike out the "a" following the numeral "50".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 17, of the printed bill, after the period following the numeral "50" insert the following:

"(a) No railroad corporation whose railroad is operated primarily by electric energy, street railroad corporation, gas corporation, electrical corporation, telegraph corporation, telephone corporation or water corporation shall henceforth begin the construction of a street railroad, or of a line, plant, or system, or of any extension of such street railroad or line, plant, or system, without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require such construction; *provided*, that this section shall not be construed to require any such corporation to secure such certificate for an extension within any city and county, or city or town within which it shall have theretofore lawfully commenced operations, or for an extension into territory either within or without a city and county, or city or town, contiguous to its street railroad, or line, plant, or system, and not theretofore served by a public utility of like character, or for an extension within or to territory already served by it, necessary in the ordinary course of its business; nor shall any person, firm or corporation hereafter engage in the business of warehouseman, as defined in subdivision (aaa) of section 2 of this act, nor shall any warehouseman add to, extend, or otherwise increase his storage or warehouse floor space, without first having obtained from the commission a certificate that the present public convenience and necessity require the transaction of business as such warehouseman, or any addition, extension or increase of existing storage or warehouse floor space; *and provided, further*, that if any public utility, in constructing or extending its line, plant, or system, shall interfere or be about to interfere with the operation of the line, plant, or system of any other public utility, already constructed, the commission, on complaint of the public utility claiming to be injuriously affected, may, after hearing, make such order and prescribe such terms and conditions for the location of the lines, plants, or systems affected as to it may seem just and reasonable.

(b) No public utility of a class specified in subsection (a) hereof shall henceforth exercise any right or privilege under any franchise or permit hereafter granted, or under any franchise or permit heretofore granted but not heretofore actually exercised, or the exercise of which has been suspended for more than one year, without first having obtained from the commission a certificate that public convenience and necessity require the exercise of such right or privilege; *provided*, that when the commission shall find, after hearing, that a public utility has heretofore begun actual construction work and is prosecuting such work, in good faith, uninterruptedly and with reasonable diligence in proportion to the magnitude of the undertaking, under any franchise or permit heretofore granted but not heretofore actually exercised, such public utility may proceed, under such rules and regulations as the commission may prescribe, to the completion of such work, and may, after such completion, exercise such right or privilege; *and provided, further*, that this section shall not be construed to validate any right or privilege now invalid or hereafter becoming invalid under any law of this state.

(c) Before any certificate may issue, under this section, a certified copy of its articles of incorporation or charter, if the applicant be a corporation, shall be filed in the office of the commission. Every applicant for a certificate shall file in the office of the commission such evidence as shall be required by the commission to show that such applicant has received the required consent, franchise or permit of the proper county, city and county, municipal or other public authority. When a complaint has been filed with the commission alleging that a public utility of the class specified in subsection (a) of this section is engaged or is about to engage in construction work without having secured from the commission a certificate of public convenience and necessity as required by the provisions of this section, the commission shall have power, with or without notice, to make its order requiring the public utility complained of to cease and desist from such construction until the commission makes and files its decision on said complaint or until the further order of the commission. The commission shall have power, after hearing, to issue said certificate, as prayed for, or to refuse to issue the same, or to issue it for the construction of a portion only of the contemplated street railroad, line, plant or system, or extension thereof, or for the partial exercise only of said right or privi-

lege, and may attach to the exercise of the rights granted by said certificate such terms and conditions, including provisions for the acquisition by the public of such franchise or permit and all rights acquired thereunder and all works constructed or maintained by authority thereof, as in its judgment the public convenience and necessity may require. If a public utility desires to exercise a right or privilege under a franchise or permit which it contemplates securing, but which has not as yet been granted to it, such public utility may apply to the commission for an order preliminary to the issue of the certificate. The commission may thereupon make an order declaring that it will thereafter, upon application, under such rules and regulations as it may prescribe, issue the desired certificate, upon such terms and conditions as it may designate, after the public utility has obtained the contemplated franchise or permit. Upon the presentation to the commission of evidence satisfactory to it that such franchise or permit has been secured by such public utility, the commission shall thereupon issue such certificate.

(d) The legislature hereby declares that the provisions of this section are being enacted under the state's reserved power over public utilities or corporations, or both, as the case may be, for the purpose of acting on the right of the grantee of a public utility franchise granted by a county, city and county, or incorporated city or town, to exercise rights thereunder, and not for the purpose of acting on the right of any city and county or incorporated city or town to grant any such franchise. The legislature hereby declares that the provisions of this section shall be and remain in full force and effect concurrently with the right of any city and county or incorporated city or town to grant franchises for public utilities upon the terms and conditions and in the manner prescribed by law."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 401—An act providing rules and regulations governing reforestation, under which exemption from taxation may be obtained.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 and 2 of the title and in lieu thereof insert the following:

"An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the state board of forestry and state forester."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 5, both inclusive, and in lieu thereof insert the following:

"SECTION 1. Any land which, except for seed trees or scattered trees not profitably merchantable, is practically without timber of merchantable age but is restocking with a young growth of useful tree species or with proper care is suitable for the growing thereof and not obviously best adapted to early agricultural development, may at the option and request of the owner be separately classified for the purpose of taxation under the title "reforestation land" and when and while so classified shall be assessed and taxed in the manner set forth in this act in lieu of all other taxes, except such as may be imposed by law upon improvements other than forest growth.

SEC. 2. Classification under this act shall be by the state forester, who under such policy and regulations as may be prescribed by the state board of forestry shall determine whether all or part of any land covered by application therefor comes under the definition of the foregoing section and receives the care and protection hereinafter required. No land the owner of which fails to comply with the forest laws of the state and regulations thereunder or against which due taxes or forest protection charges remain unpaid shall be classified as "reforestation land" and classification may be revoked, in the discretion of the state board of forestry, for subsequent non-compliance or non-payment. If the state forester shall be satisfied that any land covered by application is reforesting satisfactorily, or will do so, without requirements additional to compliance with the fire and patrol laws and regulations thereunder, classification may be without further or special arrangement.

with the owner. If, at the time of application for classification, or subsequently, it appears that further steps are necessary to establish satisfactory reforestation, a contract to take such further steps and to perform the necessary additional requirements shall be entered into between the owner of the land and the state, through the state forester, in order to secure such classification or continuance thereof.

SEC. 3. Application for classification shall be made to the state forester upon blanks by him provided and contain such information as he requires: including legal description and plat of the tract or tracts, certificate by proper county officers as to last assessed valuation and payment of taxes due.

SEC. 4. When the state forester shall classify any land as "reforestation land", he shall certify to this effect to the owner and to the assessor of the county wherein it lies, forwarding the latter a plat and description thereof. Upon such certification to the county assessor said land and the forest growth then or thereafter thereon shall be separated for taxation purposes as long as said classification continues. The assessor when making the annual assessment shall assess only the value of the land and improvements alone, not enhanced by reason of forest growth thereon, and upon no higher basis than the minimum rate at which he assesses wild and unfor-ested land of the same character not separately classified under this act.

SEC. 5. Marketable forest products removed from the land shall be subject to taxation as are other crops without duplication of taxation to reach any profits thereon, or upon the business represented by their harvesting, which is not also borne by other crops.

SEC. 6. All taxes due under this act shall be due and collectible as other taxes in the state and subject to the same liens and processes of collection.

SEC. 7. Failure on the part of any owner of lands separately classified under this act to comply with any provision thereof or of any agreement upon which its classification is conditioned shall be cause for cancellation of the certificate of classification by the state forester, subject to the approval of the state board of forestry, following an opportunity for a hearing on the part of the owner, in which event the state forester shall notify the county assessor and the property shall be at once taxed: *provided*, that this section shall not prevent reclassification of the land without penalty at any time, by mutual consent of the owner and the state forester on behalf of the state.

SEC. 8. To the end that cutting of standing timber shall be conducted so as to place the land in the best condition for reforesting, uncut forest land may be subject to examination, plan and contract as provided for by this act and the separate classification of the land for taxation shall take effect within one year after the merchantable standing timber is cut and removed in full compliance with the terms of said contract."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 and 2 of the title and insert in lieu thereof the following:

"An act to require owners of forest lands to provide a fire patrol therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1, and insert in lieu thereof the following:

"SECTION 1. Every owner of forest land in the State of California shall furnish or provide a sufficient and adequate fire patrol therefor during the season of the year when there is danger of forest fires, which patrol shall meet with the approval of the state board of forestry.

SEC. 2. For the purpose of this act a sufficient and adequate fire patrol shall be construed to mean one equal to that maintained by forest owners in this state who have entered into cooperative fire protection agreements with the state board of forestry under the provisions of chapter one hundred seventy-six, Statutes 1919, or who have entered into an agreement with the forest service of the United States Department of Agriculture, or equal to that maintained by owners of fifty per cent

or more of forest land in the same localities, or under similar conditions in other localities, who are in good faith patrolling their lands against fire.

SEC. 3. In the event that any owner or owners shall fail or neglect to provide such fire patrol then the state forester shall under the direction of the state board of forestry provide the same at a cost not to exceed three cents per acre per annum; *provided*, that when in times and localities of unusual hazard, adequate protection of forest areas demands expenditures in excess of three cents per acre, the state forester with the approval of the state board of forestry, may, after thorough investigation of the need thereof, authorize and approve expense sufficient properly to safeguard the timber resources, but amounts so approved shall not exceed the actual cost of the work performed. Any amounts so paid or contracted to be paid by the state forester shall be due and payable immediately to the state forester who shall deposit it in the state treasury to the credit of the "state board of forestry fire prevention fund" hereinafter created. Any amount remaining unpaid for a period of thirty days shall become a lien upon the property protected in pursuance of this act. Notice of such lien shall be filed and recorded in the office of the county recorder of the county in which the said property is situated within thirty days after the right to said lien has accrued and a copy of said notice of lien shall be mailed to the person or persons who appear of record to be the owners of any mortgage, trust deed, lien, contract, option, bond or other encumbrances to said property at the last known place of residence of said encumbrancer and if the place of residence of said encumbrancer be unknown to the state forester, then such fact shall be stated in said copy so mailed and it shall be addressed to the county seat of the county wherein said property is situated, such lien shall take precedence over and shall be paramount to all mortgages, trust deeds, liens, contracts, options, bonds or other encumbrances upon the land, excepting only the lien of taxes. If such sum secured by such lien be not paid within eighty days from the filing of such notice of lien then there shall be added to the same and secured by such lien a penalty of fifteen per cent on the amount of such lien. An action to foreclose such lien shall be commenced within eighty days after the filing and recording of said notice of lien, which action shall be brought in the proper court by the district attorney of the county in the name, and for the benefit of the state board of forestry, and when the property is sold, enough of the proceeds shall be paid into the treasury of the State of California and thereon deposited in a fund to be known as the "state board of forestry fire prevention fund" which fund is hereby created, to satisfy the lien and costs. The surplus, if there be any, shall be paid to the owner of the property if he be known, and if not, into the court for his use when ascertained.

By the second Monday of October in each year the state forester shall have prepared a list of all sums due to the state, and upon request of any forest land owner shall then render a statement of any sums from him so due, and upon further request such owner shall be granted a hearing before the state board of forestry concerning any activity of the said board or the state forester affecting his property or costs charged thereto for protection.

All moneys in the said "state board of forestry fire prevention fund" are hereby appropriated to the use of the state forester for the purpose of carrying out the provisions of this act and shall be paid out of said fund upon warrant of the state controller based upon claims to be filed by the state forester approved by the state board of control.

SEC. 4. For the purpose of this act any land shall be considered forest land which has enough forest growth standing or down or has sufficient inflammable forest debris to constitute, in the judgment of the state board of forestry, a fire menace to itself or adjoining land.

SEC. 5. The owner or owners of any land coming under the provisions of this act who shall reside within one and one-half miles of the further limits of said land, shall be considered by virtue of said residence to maintain a sufficient fire patrol and shall not be compelled to maintain any additional patrol on said lands.

SEC. 6. The state board of forestry is hereby authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act.

SEC. 7. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 8. All acts and parts of acts inconsistent with this act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 534—An act providing for the issue by private corporations of capital stock without nominal or par value.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following title:

"An act to add sections two hundred ninety *b*, two hundred ninety *c*, two hundred ninety *d*, and two hundred ninety *e*, and two hundred ninety *f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value", approved May 29, 1917."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the colon at the end of the enacting clause, insert the following:

"SECTION 1. A new section, to be numbered two hundred ninety *b*, is hereby added to the Civil Code, to read as follows:"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 1 preceding the period, and insert in lieu thereof the following:

"290*b*."

Amendment adopted.

AMENDMENT NUMBER THREE AND ONE-HALF.

On page 1, line 16, of the printed bill, strike out the words "of the same class" and insert in lieu thereof "having a nominal or par value".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, after the period at the end of line 2, insert the following:

"SEC. 2. A new section, to be numbered two hundred ninety *c*, is hereby added to the Civil Code, to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out all of line 3 preceding the words "no corporation", and insert in lieu thereof the following: "290*c*".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 31, of the printed bill, insert before the word "no" the words "Unless it shall have been first permitted or authorized so to do by the commissioner of corporations".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, after the period at the end of line 41, insert the following:

"SEC. 3. A new section, to be numbered two hundred ninety *d*, is hereby added to the Civil Code, to read as follows:"

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of line 42 preceding the word "for" and insert in lieu thereof the following:

"290*d*".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 46, of the printed bill, insert after the words "shall be" the words "taken to be".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, after the period at the end of line 47, insert the following:

"Sec. 4. A new section, to be numbered two hundred ninety e, is hereby added to the Civil Code, to read as follows:".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, strike out all of line 48 preceding the words "in case", and insert in lieu thereof the following:

"290e".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, after the period at the end of line 2 insert the following:

"Sec. 5. A new section, to be numbered two hundred ninety f, is hereby added to the Civil Code, to read as follows:".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, strike out all of line 3 preceding the word "any" and insert in lieu thereof the following:

"290 f".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 6, of the printed bill, strike out the words "this statute" and insert in lieu thereof the following:

"Sections two hundred ninety b, two hundred ninety c, two hundred ninety d, two hundred ninety e and two hundred ninety f of the Civil Code,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed bill, after the period at the end of line 8, insert the following:

"Sec. 6. An act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value", approved May 29, 1917, is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, strike out the word "county" and insert in lieu thereof the word "township."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, strike out the word "county" and insert in lieu thereof the word "township"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 24, of the printed bill, strike out the word "incorporation", and insert in lieu thereof "corporation".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1913, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and

making an appropriation for the use of said fund." approved June 16, 1913, as amended.

On motion of Senator Gates, E. J., Senate Bill No. 354 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the legislature.

Constitutional amendment read.

AMENDMENT FROM THE FLOOR.

During the reading of the constitutional amendment, the following amendment was offered, and its adoption moved by Senator Nelson:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed amendment, strike out the word "No" and all of lines 13, 14, and 15 and insert in lieu thereof the words "Not more than two bills shall be introduced by any member in either House after forty days after the commencement of each session, and then only with the consent of three-fourths of the members thereof."

Amendment adopted.

Senate Constitutional Amendment No. 6 ordered to print, re-engrossment and on file.

Senate Bill No. 488—An act to amend section 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i and 2322j of the Political Code, relating to agriculture.

On motion of Senator Osborne, Senate Bill No. 488 was passed on file.

Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 462 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rosh, Sample, Sharkey, Slater, and Swing—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be num-

bered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 192 was passed on file.

Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

In the absence of the author, Senate Bill No. 119 was passed on file.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

In the absence of the author, Senate Bill No. 408 was passed on file.

Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry Contingent Fund.

On motion of Senator Powers, Senate Bill No. 424 was passed on file.

Senate Bill No. 46—An act to amend section 1 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Senate Bill No. 46 to Senator Nelson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the comma insert the following: "and which membership is dependent upon enrollment in elementary or secondary schools."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 46, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Chamberlin, adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

In the absence of the author, Senate Bill No. 456 was passed on file.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519*e*, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

On motion of Senator Boggs, Senate Bill No. 138 was passed on file.

Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21*a*, 24*a*, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35*a* and 49*a* and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

On motion of Senator Hart, Senate Bill No. 154 was passed on file.

Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

On motion of Senator Carr, Senate Bill No. 291 was passed on file.

Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the Superior Court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the Juvenile Court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act.

On motion of Senator Hurley, Senate Bill No. 6 was passed on file.

Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

On motion of Senator Carr, Senate Bill No. 289 was passed on file.

Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

On motion of Senator Carr, Senate Bill No. 290 was passed on file.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California,

including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topock, Arizona, to be a State highway.

Senate Bill No. 305 re-referred to Committee on Roads and Highways.

Senate Bill No. 275—An act to declare a certain road between Bakersfield and Mojave a State highway and make an appropriation therefor.

Senate Bill No. 275 re-referred to Committee on Roads and Highways.

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

In the absence of the author, Senate Bill No. 45 was passed on file.

Senate Bill No. 193—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health.

On motion of Senator Osborne, Senate Bill No. 193 was passed on file.

Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

In the absence of the author, Senate Bill No. 272 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and

providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block books.

On motion of Senator Arbuckle, Senate Bill No. 693 was passed on file.

Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

In the absence of the author, Senate Bill No. 333 was passed on file.

Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof.

On motion of Senator Eden, Senate Bill No. 434 was passed on file.

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

In the absence of the author, Senate Bill No. 482 was passed on file.

Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads.

On motion of Senator Chamberlin, Senate Bill No. 540 was passed on file.

Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors.

On motion of Senator Powers, Senate Bill No. 327 was passed on file.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16a.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 373 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy,

Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and Swing—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator McDonald moved to reconsider the vote whereby Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed—was adopted.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator McDonald, the further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 18 was adopted, was continued until the next legislative day.

ADJOURNMENT.

At twelve o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, March 27, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 26, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. C. C. Pratt and Charles Pratt, Jr., of San Francisco.

PETITION.

The following petition was presented by Senator McDonald and ordered printed in the Journal:

We favor the New Pension Law as presented by the San Francisco Teachers' Association, and endorsed by the Legislative Committee of the California Teachers' Association—Senate Bill 127.

LOUISE NARJOT HOWARD, Berkeley, Cal.,
And 27 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 26, 1923, adopted the following:

Assembly Joint Resolution No. 8—Relative to memorializing Congress to amend the constitution of the United States relating to citizenship:

Also: Assembly Joint Resolution No. 18—Relative to the construction of a bridge from Morrow Cove, Solano County to Valona, Contra Costa County.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Joint Resolution No. 8 referred to Committee on Federal Relations.

Assembly Joint Resolution No. 18 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER SACRAMENTO, March 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 26, 1923, passed the following:

Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway:

Also: Assembly Bill No. 448—An act declaring the Kings River Canyon highway to be a part of the seven per cent State highway system, and providing for the construction and maintenance thereof:

Also: Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629a, relating to group insurance by life insurance companies and valuation of group insurance policies:

Also: Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies:

Also: Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 338 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 448 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 518 read first time, and referred to Committee on Insurance.

Assembly Bill No. 519 read first time, and referred to Committee on Insurance.

Assembly Bill No. 637 read first time, and referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 8—Resolution to propose to the people of the State of California an amendment to article XX of the constitution of the State of California, by adding a new section thereunto to be numbered section 22 and relating to the establishment of a State insurance system—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9; committee vote: Ayes—7; noes—2.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 8 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 20 ordered on file.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, relating to nonprofit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

BOGGS, Chairman.

Senate Bill No. 85 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

BOGGS, Chairman.

Senate Bill No. 692 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to the Committee on Public Health and Quarantine.

Committee membership—11; committee vote: Ayes—9; absent—2.

BOGGS, Chairman.

Senate Bill No. 689 re-referred to Committee on Public Health and Quarantine.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway;

Also: Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway;

Also: Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

POWERS, Chairman.

Assembly Bills Nos. 17, 72, 175 and 847 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County;

Also: Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners;

Also: Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

POWERS, Chairman.

Senate Bills Nos. 275, 438, 633, ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 225—An act making an appropriation for the construction and reconstruction of all State highways in San Joaquin County, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—8; absent—5.

POWERS, Chairman.

Senate Bill No. 225 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez;

Also: Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

POWERS, Chairman.

Assembly Bills Nos. 150 and 1148 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 11; committee vote: Ayes—8; absent—3.

OSBORNE, Chairman.

Senate Bill No. 178 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties;

Also: Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended;

Also: Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block books;

Also: Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class;

Also: Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof;

Also: Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof;

Also: Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads;

Also: Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 123—An act to amend section 1616 of the Political Code, relating to kindergarten;

Also: Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof;

Also: Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers;

Also: Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

Also: Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 104, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913;

Also: Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith;

Also: Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theatres and moving picture houses; and providing penalties for its violation," approved June 3, 1921;

Also: Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools;

Also: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 510—An act to create a cadet reserve in the State of California—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—5; committee vote: Ayes—5.

HUGHES, Chairman.

Senate Bill No. 510 ordered on file for second reading.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

Cora E. Howell, Stenographer----- \$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution,

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J. Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B. Johnson, M. B. Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

By Senator Hurley:

WHEREAS, The members of the Finance and Roads and Highways Committees and other members of the Senate, together with their wives and families, were made the guests of the Mother Lode Highway Association in a memorable two days' trip March 24 and 25, 1923; and,

WHEREAS, This trip included the many points of interest of the famous Mother Lode section, the cradle of American civilization in California; and,

WHEREAS, The Mother Lode continues to be the golden heart of the Golden State and the people of the foothills and the Sierras are of the very sinew and backbone of our State; and,

WHEREAS, The towns and cities of Plymouth, Drytown, Amador City, Sutter Creek, Jackson, Mokelumne Hill, San Andreas, Fourth Crossing, Murphy's, Angels' Camp, Carson Hill, Melones, Tuttletown, Jamestown, Sonora and others were thrown open with an unreserved hospitality that knew no bounds; and points of interest such as the Plymouth mine, the Carson Hill gold mine, Moaning Cave, Merceers Cave, the Calaveras Big Trees, and others were made available for the enjoyment of the party; and the National Hotel of Jackson, the Metropolitan House of San Andreas, the Victoria Hotel of Sonora, the Calaveras Hotel of Angels' Camp and others were thrown open for the entertainment of the guests; and,

WHEREAS, The spirit of hospitality of those who made this trip possible was such as is seldom witnessed and can never be forgotten in the history of the Senate: now, therefore, be it

Resolved, That the Senate hereby expresses its heartfelt thanks and deep appreciation for this trip to all those who made it possible, and that each member of the party hereby extends personal gratitude for the enjoyment and education derived; and, be it further

Resolved, That copies of this resolution be furnished to the Senators representing the Mother Lode section for such publication as they may see fit, and that the resolution be printed in the Journal.

Resolution read and adopted.

DECISION OF SUPREME COURT AFFECTING COUNTY GOVERNMENT.

On motion of Senator Slater the following decision of the Supreme Court was ordered printed in the Journal:

S. F. No. 10513. In Bank. March 21, 1923.

CHARLES L. WINES, Petitioner, vs. E. F. GARRISON, as Auditor of the County of Alameda, Respondent.

Application for writ of mandate prayed to be directed to respondent, as Auditor of Alameda County, requiring him to audit demand of petitioner, as Deputy Superintendent of Schools. Writ denied.

For Petitioner—Fitzgerald, Abbott & Beardsley.

For Respondent—Ezra W. Decoto, Frank Mitchell, Jr.

This is an original application for a writ of mandamus. Charles L. Wines, the petitioner, is a deputy in the office of the superintendent of schools of Alameda County. When the superintendent of schools began his term on January 6, 1919, he was allowed an assistant, a chief deputy and an additional deputy, but in 1921 the Legislature allowed the superintendent of schools an additional deputy. The petitioner fills the position thus created for the first time by the Legislature of 1921, his petition, he says, "involves the right of the Legislature to increase the number of deputies allowed to a county officer, who at the commencement of his term has a fixed salary and deputies paid by the county."

This question was determined adversely to the contention of the petitioner in the recent case of *Forward vs. County of San Diego*, 64 Cal. Dec. 362, 269 Pac. 993. The decision was by the court in bank and a petition for rehearing was denied, after due consideration.

The petitioner seeks to have us overrule this decision, claiming that we have therein given an erroneous construction to section 4290 of the Political Code. He also contends that the matter is of very great importance to counties and county officers, and for that reason prays a careful reconsideration of the matter.

We have therefore again considered the question which is presented by the petitioner. The respondent makes no argument and presents no brief.

We will not undertake to follow the argument of the petitioner in detail. Suffice it to say that the petitioner contends that the question involved here is not one of constitutional law but primarily one of statutory interpretation, and that section 4290 of the Political Code in the light of its legislative history beginning with the enactment of the first County Government Act in 1883 down to date shows that the provisions of section 4290, Political Code, do not apply to Alameda County wherein the Legislature has provided for deputies to be paid directly from the county treasury. This legislation originally was in the form of a separate act known as the County Government Act and in 1907 was for the first time incorporated in the Political Code, sections 4000 to 4235, inclusive (Stats. 1907, pp. 354-558). We will, therefore, use the expression "County Government Act" and "Political Code" indifferently throughout this opinion in referring to the provisions of the statute controlling the salaries of county officers. The first clause of section 4290, Political Code, reads as follows: "The salaries and fees provided in this title shall be in full compensation for all services of every kind and description rendered by the officers named in this title either as officers or ex officio officers, their deputies and assistants, unless in this title otherwise provided, and all deputies employed shall be paid by their principals out of the salaries provided in this title, unless in this title otherwise provided * * *"

As we construed this section in *Forward vs. County of San Diego*, supra, the phrase "unless in this title otherwise provided" referred to the provisions made for the payment of deputies in the County Government Act and we held that where assistants were appointed who were not specifically provided for in the County Government Act, they could not be paid from the county treasury, but must be paid by the officer, if paid at all. Consequently, it followed under numerous prior decisions of this court that where the Legislature relieved the officer of that necessity by making the salary of the deputy payable by the county, it, to that extent, ipso facto increased his salary.

The argument now advanced to support a different conclusion is substantially as follows: The phrase "unless in this title otherwise provided" in section 4290, Political Code, in the light of the history of the section applies to those counties such as Alameda County, wherein provision is made for the payment of deputies by the county instead of by the county officers. Consequently, it is urged that where under the code a county officer is allowed any deputy payable from the county treasury, in his case it is "otherwise provided" in the title and consequently the requirement in the section that the officer must pay such deputy does not apply and therefore the Legislature may provide for an additional deputy who may also be paid from the county treasury without increasing the compensation of the officer.

It is true in one sense that this is a question of statutory construction, but it is also true that every statute must be construed in the light of the constitutional restrictions upon the power of the Legislature so that it is necessary to consider those constitutional provisions in arriving at the proper interpretation of the statute.

Petitioner's argument proceeds somewhat in this fashion. Section 164 of the County Government Act of 1883 (Stats. 1883, p. 361) provided as follows:

"The salaries and fees provided for in this act shall be in full compensation for all services of every kind and description rendered by the officers therein named, their deputies, and assistants; and all deputies employed shall be paid by their principals, out of the salaries hereinbefore provided: * * *" Subdivision 15 of this act, page 239, in providing for salaries of the seventh class provided that a limited number of deputies should be paid salaries from the county. It is pointed out that this provision in section 164 is inconsistent with the one providing for the payment of deputies by the county itself and, therefore, the argument is that section 164 was intended to apply only to counties in which a lump sum was fixed as the salary of the officer, and not to counties where the county pays the deputies directly.

The petitioner's argument proceeds upon the theory that there are two classes of counties in the County Government Act, one in which the county officers are paid a lump sum and the other in which the deputies are paid directly by the county and presumptively the amount allowed to the county officer is for his own personal services. This position cannot be maintained under the previous decisions of this court. The County Government Act never has used the phrase "a lump sum" and this nomenclature was introduced into our legal literature in connection with the alleged unconstitutionality of the County Government Act in providing in some counties for deputies to be paid by the county and in others that all deputies should be paid by the principal, it being contended that this differentiation destroyed the uniformity of county government required by the constitution (*Tulare County vs. Man*, 118 Cal. 303).

The question involved in the case at bar was decided against the petitioner, in principle at least, in 1892 in the case of *Dougherty vs. Austin*, 94 Cal. 601.

Section 164 of the County Government Act of 1883 (Stats. 1883, p. 361) was renumbered as section 211 (Stats. 1885, p. 194) and was amended in 1887 (Stats. 1887, p. 207). By this amendment a proviso was inserted after the above quoted language as follows: "and provided further, that whenever, in the opinion of the board of supervisors, the salary of any county officer in the third, fourth, fifth, twelfth, thirteenth, fifteenth, twentieth, twenty-second, twenty-third, twenty-fourth,

twenty-sixth, twenty-ninth, thirty-second, thirty-third, thirty-fourth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth and forty-first classes, as fixed and provided in this act, is insufficient to pay a reasonable compensation for the services required to be performed, the said board shall allow such officer a deputy, or such number of deputies, as in their judgment may be required to do the business of such office, in connection with the principal, at a salary not to exceed one hundred dollars per month, to be paid at the times and in the manner that said principal is paid; * * *

The effect of these provisions was considered in the case of *Dougherty vs. Austin*, 94 Cal. 601, decided in May, 1892. Upon the original hearing it was held that this provision of the law violated article XI, section 9 of the constitution prohibiting an increase of salary during the term of office. Owing to the importance of the matter a rehearing was granted, the same was carefully considered and the court reaffirmed its original conclusion. In the original opinion it was said (page 611):

"The sum allowed to any given officer being a lump sum out of which he must pay for the services of all deputies and assistants necessary for the prompt and faithful discharge of all the duties of the office, it is evident that his own compensation consists of the residue remaining after payment of such deputies and assistants; and it is equally evident that just so far as the county assumes the payment of such deputies and assistants, such residue is enlarged and the compensation increased."

It was thus early established that the allowance of additional deputies to be paid by the county to an officer who was receiving a lump sum under the County Government Act, and who was by the provisions of section 211 of the County Government Act required to pay all deputies and assistants from such salary, was unconstitutional because it increased the salary of the officer. This view has ever since been consistently adhered to by this court and in the late case of *County of Santa Barbara vs. Janssens*, 177 Cal. 114, decided December 31, 1917, although the legislature by enacting a new section of the Penal Code (sec. 1616) required the sheriff of every county to appoint a matron for the women's department of the county jail, it was held that the sheriff was required to pay such matron (*Humiston vs. Shaffer*, 145 Cal. 195).

In *Welsh vs. Bramlet*, 98 Cal. 219, it was held that an allowance of an assistant district attorney to the district attorney of Fresno County after his election to office was unconstitutional as being a violation of article XI, section 9, prohibiting an increase of salary to an officer during his term of office. It was also held that the provision of the statute authorizing the district attorney to appoint an assistant to be paid by Fresno County, when the district attorneys of other counties could not do so, was a violation of the constitutional provision requiring uniformity in county governments. The decision on this latter point was followed in *Walser vs. Austin*, 104 Cal. 128 (decided September, 1894), and in *Farnum vs. Warner*, 104 Cal. 677.

The serious consequences of these last three decisions resulted from the fact that if the law was not uniform, the entire County Government Act, at least as to salaries, was void. Indeed, it was claimed to be void in *Pulare County vs. May*, 118 Cal. 303 (decided September, 1897). The court there declined to follow and overruled the prior decision in *Welsh vs. Bramlet*, supra, and *Walser vs. Austin*, supra, and also the decision in *Farnum vs. Warner*, supra, to the effect that there were two systems provided for in the County Government Act for the payment of deputies, and that it was therefore void for lack of uniformity. The court there held that a scheme of county government by which in some counties or classes of counties the deputies were paid directly from the county treasury, where in others they were not so paid, was nevertheless a uniform system of county government and for that reason did not violate the provisions of article I, section 11, or article IV, section 25, subdivision 28 of the constitution, requiring such uniformity.

It is important to the point under consideration, however, to recognize the basis upon which the court overruled *Welsh vs. Bramlet*, supra, *Walser vs. Austin*, supra, *Farnum vs. Warner*, supra, and held that the County Government Act with these two distinct systems of paying deputies was a uniform system and complied with article XI, sections 4 and 5 of the constitution with reference to the duty of the Legislature in the establishment of county governments. In order to appreciate the force of this decision it will be necessary to quote from it extensively:

"To allow county officers to appoint deputies whose fixed salaries are to be paid out of the county treasury is, of course, unobjectionable so far as the mere power to appoint deputies is concerned, for by section 61 (Stats. 1893, p. 367) these same officers are authorized to appoint as many deputies as a prompt discharge of the duties of their respective offices may require, and this general authorization embraces all of the special authority conferred by the clauses of section 173 above quoted. [Sec. 173 is the section fixing the compensation of officers in counties of the eleventh class and allowing certain deputies to be paid from the county treasury.] That is to say, these officers may, under section 61, appoint the same deputies that they are allowed to appoint under section 173, and they are not obliged under either section to appoint any more deputies than a prompt discharge of the duties of the office may require. These sections do not destroy the uniformity of the law, nor do they introduce any special regulation in counties of the eleventh class. So far as the power to appoint deputies is concerned the rule is general and uniform throughout the State, and that rule is that such county officers as are allowed to act by deputy may everywhere appoint as many deputies as a prompt discharge of their official

duties demands. But this, as I am fully aware, does not meet the objection of appellant, which is that in this instance the officers are allowed to appoint deputies whose salaries are to be paid out of the county treasury. This objection would be more serious, it seems to me, if the law contemplated the payment of salaries of deputies from any other source. But it does not.

"There are two rules for the compensation of deputies in the different counties of the State. In most of the classes a lump sum is allowed to the principal, out of which he is required to pay his deputies; in a smaller number of classes—including the eleventh—the principal is allowed a fixed salary, and certain deputies are allowed fixed salaries, but in both cases the salaries of all are by the express terms of the statute, to be paid out of the county treasury. The whole question, therefore, resolves itself into this: Can the Legislature establish one rule of compensation of deputies in one class of counties, and a different rule in another class of counties? I can see no constitutional objection to such an exercise of power. Under either rule a compensation proportionate to duties may be secured; and for the purpose of securing such compensation a division of counties into classes is expressly authorized, and, when a statute or a provision of a statute has no other object or effect than to regulate compensation of officers, the provision or statute is uniform and general if it applies equally to all the counties of any class, no matter which of the two rules above referred to is followed."

The argument of the court in sustaining the uniformity of the County Government Act is substantially this: In all counties all deputies are in effect paid from the county treasury. It does not destroy the uniformity of the County Government Act to pay some of these deputies directly from the county treasury, while in other counties the money passes through the hands of the officer to the deputy. It is obvious that this argument leads to the conclusion that in both counties additional deputies are to be paid by the officer from his own compensation. Otherwise, we at once have the uniformity of the system destroyed because we have two different classes of counties, in one the Legislature may from time to time give additional deputies to the officers without violating the constitutional inhibition and without increase of compensation, while in others it cannot. We called attention to this situation in *Forward vs. County of San Diego*, supra.

In *San Francisco vs. Broderick*, 125 Cal. 188, the Supreme Court had under consideration the question of the payment of deputies by the county clerk of the city and county of San Francisco. It was contended that certain deputies appointed by the county clerk should be paid under the provisions of certain acts of the Legislature applicable to the county of San Francisco alone. In that case the court pointed out the fact that there are two plans or schemes provided in the County Government Act for the payment of the deputies. It cited section 216 (Stats. 1893, p. 507; Stats. 1897, p. 215) which corresponds to section 164 of the County Government Act of 1893 and section 211 of the amendments of 1897 and section 4290 of the Political Code. In answer to the contention that the county clerk of the city and county of San Francisco could appoint deputies whose salaries would be a charge upon the county government under the provisions of the act of 1880 (Stats. 1880, p. 5, and Stats. 1891, p. 5) the court said: "The county clerk of the city and county of San Francisco by the act of February 13, 1880 (Stats. 1880, p. 5), is given a fixed salary, and is allowed a fixed number of deputies and assistants, whose compensation is a charge upon the treasury. He has the power under section 61 of the County Government Act to appoint additional deputies and assistants if the needs of his office so require, but in the present condition of the law the compensation of these extra assistants and deputies must be paid for by himself."

As we understand this decision it holds that notwithstanding the fact that the city and county of San Francisco was of a class in which the principal officer was allowed certain deputies, that he was required under the provisions of section 216 of the County Government Act of 1893 to pay any additional deputies and assistants himself. This is a complete answer to the contention of the petitioner that section 216 or its successor (Pol. Code, Sec. 4290) does not apply to counties of the class in which a county officer is allowed paid deputies. If in such counties the county officer was required to pay all deputies in addition to those provided by law, it follows that any statutory scheme by which he is relieved of that responsibility is to that extent an increase of his salary within the meaning of the constitution. This squarely brings such counties within the rule announced in *Welsh vs. Bramlet*, supra, and *Dougherty vs. Austin*, supra.

In *County of Calaveras vs. Poe*, 167 Cal. 519, it was held to be the fixed and settled law of this State that the allowance of a deputy to an officer who had theretofore received a gross sum to cover his compensation and the expenses of his office was a violation of the constitution if made during his term of office (citing *Dougherty vs. Austin*, supra; *Hamiston vs. Shaffer*, 145 Cal. 195; *Elder vs. Garry*, 19 Cal. App. 776; *Hanson vs. Underhill*, 12 Cal. App. 546, and *Appelstall vs. Garry*, 18 Cal. App. 387). This was the only point involved in the case, for in that instance the officer was allowed a gross sum. The court proceeded, however, to say:

"Where the statute provides a fixed salary for an officer and fixed salaries for deputies, all payable out of the county treasury, a subsequent law increasing the compensation of the deputies or their number will take effect at once. (*Tulare County vs. May*, 118 Cal. 304 [50 Pac. 427]; *Newman vs. Lester*, 11 Cal. App. 577

[105 Pac. 785.] " This statement was obiter dicta and is not supported by *Tulare County vs. May*, supra, and is clearly incorrect for the reasons we have hereinbefore stated, namely, that in every county all assistants and deputies not specifically provided for by an award of compensation in the statute are to be paid by the officer himself and, therefore, to pay them from the county treasury would be an increase of compensation in violation of the constitution where such allowance is made during his term of office.

We have thus far dealt with the proposition advanced by the petitioner that section 4290 of the Political Code did not justify the conclusion that its language was applicable to counties in which deputies were provided and authorized to be paid directly from the treasury by the County Government Act. But other considerations lead to the same conclusion. In order that public funds may be expended it is essential that such expenditure be authorized by law, as was said by this court in *Irwin vs. County of Yuba*, 119 Cal. 686, 690: " * * * whenever the courts have been appealed to in these cases, they have uniformly held to the only safe rule—that public officers and municipal boards must keep within the limits of their power as prescribed by law; * * * Nothing is better settled than that a person who accepts an office with compensation fixed by law is bound to perform the duties for the compensation. Mr. Dillon in his *Municipal Corporations*, section 233, speaking of this rule, says: 'The rule is of importance to the public. To allow changes and additions in the duties properly belonging or which may properly be attached to an office to lay the foundation for extra compensation, would soon introduce intolerable mischief. The rule, too, should be very rigidly enforced. The statutes of the Legislature and the ordinances of our municipal corporations seldom prescribe with much detail and particularly the duties annexed to public offices; and it requires but little ingenuity to run nice distinctions between what duties may, and what may not, be considered strictly official; and if these distinctions are much favored by the courts of justice it may lead to great abuse.' Again, the same author says (section 234): 'Not only has an officer, under such circumstances no legal claim for extra compensation, but a promise to pay him an extra fee or sum, beyond that fixed by law, is not binding, though he renders services and exercises a degree of diligence greater than could legally have been expected of him.' " Hence, unless the statute expressly authorizes the payment of deputies from the county treasury they can not be so paid. By section 59 of the County Government Act, above quoted, and the corresponding section of the Political Code (Sec. 4024) the officer has the authority to appoint as many deputies and assistants as may be necessary to enable him to perform the duties of his office. This would be the rule without any statutory authority. (*Taylor vs. Brown*, 4 Cal. 188; *Jobson vs. Fennell*, 35 Cal. 711.) These deputies, however, can not be paid from the public treasury unless some express provision is made for such payment.

If it is conceded, as it must be under the authorities above quoted, that to prevent the inevitable decrease of the officer's salary due to payments necessary to be made by such officer to a necessary deputy by authorizing the county to pay such deputy, is an increase of the salary of the officer within the meaning of the constitutional inhibition against increasing the salary of an officer during his term of office, then it must follow that without the express statutory declaration in section 4290 of the Political Code, requiring the officer to pay all additional deputies not otherwise provided for, that a statute passed during his term of office authorizing the payment of such additional deputy from the county treasury is an increase of salary within the meaning of the constitutional provision, no matter whether the officer was originally paid a lump sum, or was, in addition to his own compensation, allowed a certain number of deputies paid by the county. If there is an error in this process of reasoning it arises from the conclusion long ago arrived at by this court that to prevent an inevitable decrease of salary is an increase of compensation within the meaning of the constitution. This question has been too long settled in this State to justify its reconsideration.

The petition is denied.

We concur:

LENNON, J.
KERRIGAN, J.
MYERS, J.
LAWLOR, J.
WASTE, J.

WILBUR, C. J.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Sample:

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes.

Referred to Committee on Rules.

By Senator Crowley:

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

To provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Referred to Committee on Rules.

By Senator Sharkey:

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act concerning the water front of the city and county of San Francisco, and authorizing the State Harbor Commissioners to furnish oil tanks, conveyors and transit sheds in the port of San Francisco, forbidding the exercise of certain powers of the State Harbor Commission and repealing an act entitled "An act concerning the water front of the city and county of San Francisco, and authorizing the State Harbor Commissioners to furnish oil tanks, conveyors and transit sheds in the port of San Francisco", and repealing an act entitled "An act concerning the water front of the city and county of San Francisco", approved April 30, 1919.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 538—An act to add a new section, to be numbered section 467a, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

On motion of Senator Chamberlin, Senate Bill No. 538 was passed on file.

Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities and cities and counties for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, seawall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 70—An act to amend section 2605 of the Political Code, relating to San Diego Bay.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the Bay of San Diego.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within

the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 354 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California that the constitution of said State be amended by amending section 2 of article IV thereof, relating to the time and duration of the sessions of the Legislature.

Senate constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 6 refused adoption by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gray, Handy, Hart, Hughes, Hurley, Ingram, Lyon, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, and Swing—20.

NOES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Eden, Harris, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Nelson, Osborne, Rush, Slater, and West—19.

Senate Bill No. 488—An act to amend section 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i and 2322j of the Political Code, relating to agriculture.

On motion of Senator Osborne, Senate Bill No. 488 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 192 was passed on file.

Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 119 passed by the following vote:

AYES—Senators Allen, Arlbackle, Boggs, Broad, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. R., Johnson, M. R., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Slater, Swing, and West 35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

On motion of Senator Ingram, Senate Bill No. 408 was passed on file.

Senate Bill No. 424—An act creating a contingent fund, to be known as the State Board of Forestry Contingent Fund.

On motion of Senator Powers, Senate Bill No. 424 was re-referred to Committee on Conservation.

Senate Bill No. 46—An act to amend section 1 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13,

1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

On motion of Senator Creighton, Senate Bill No. 46 was passed on file.

Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

On motion of Senator Jones, Senate Bill No. 456 was passed on file.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519*c*, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 138 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, E. J. Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B. Jones, Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, and Slater—26.

NOES—Senators Allen, Burnett, Canepa, Godsil, Gray, Ingram, Johnson, M. B., McDonald, Murphy, Swing, and West—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Crowley gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 138 was passed.

HOUR OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until two o'clock and thirty minutes p.m.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator McDonald moved to reconsider the vote whereby Senate Constitutional Amendment No. 18 was adopted.

The question being on the motion to reconsider.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator McDonald moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

The Secretary announced the absentees.

Time, one o'clock and forty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

ASSISTANT SECRETARY MELVIN WARREN AT THE DESK.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sample to introduce a bill entitled: An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership: 5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Sample: Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the City of San Diego, California, for public street purposes.

Senate Bill No. 698 referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Crowley to introduce a bill entitled—An act to provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Crowley: Senate Bill No. 699—An act to provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Senate Bill No. 699 referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

BURNETT, Chairman.

Senate Bill No. 320 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

BURNETT, Chairman.

Senate Bill No. 335 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (RESUMED).

Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35a and 49a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 154 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 291 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the Superior Court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the Juvenile Court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act.

On motion of Senator Hurley, Senate Bill No. 6 was passed on file.

Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to

the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 289 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonall, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 290 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Rush, Sample, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

On motion of Senator West, Senate Bill No. 45 was passed on file.

Senate Bill No. 193—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health.

On motion of Senator Osborne, Senate Bill No. 193 was re-referred to Committee on Governmental Efficiency.

Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 272 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McDonald.

The Secretary was directed to call the roll, on motion to reconsider, of the Senators who had not answered to their names, and the motion to reconsider the vote by which Senate Constitutional Amendment No. 18 was adopted, was carried by the following vote:

AYES—Senators Canepa, Carr, Crowley, Gates, Dr., Godsil, Gray, Hurley, Inman, McDonald, Murphy, Osborne, Rominger, Swing, and West—14.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, E. J., Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Powers, Rush, Sample, Sharkey, and Slater—22.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 114, limiting the fees charged and collected by private employment agencies;

Also: Assembly Bill No. 210—An act to amend section 360c of the Political Code relating to records;

Also: Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAS. E. POWERS, Assistant Clerk.

Assembly Bill No. 86 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 210 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 832 read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At two o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Wednesday, March 28, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 27, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Ralph H. Clock, Mrs. R. H. Clock and the Misses Harriman of Long Beach.

On request of Senator Sample, the privilege of the floor of the Senate Chamber for the day was unanimously extended to P. F. Dunne of San Francisco.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Superior Judge M. J. Roach of San Francisco.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to H. J. Angelo, Dr. M. Kelme, and K. L. Perky, of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Paul T. Hahman, Paul T. Hahman, Jr., and Miss Lucille Fulwider of Santa Rosa, and George R. and Mrs. Harrison of Sebastopol.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. T. D. Johnston of Martinez, Mrs. J. W. Johnston of Sacramento, and the Misses Helen Scharrenberg and Dorris Patterson of San Francisco.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following teacher and pupils of Glenn County High School, of Willows:

Teacher—Mrs. W. H. Walker. Pupils—Paulyne Breneman, Frankie Markham, Fred William Crook, Claude Gillaspay, Roy Troxel, Lester Lederer, John Lim, William Dunbraw, Jr., Alphens Brian, Frank Preehtel, Wright Callender, Elster Bielar, Upton Palmer, Chester N. Derfelsen, Chas. F. Bielar, Lee L. Larimer, Mary Monroe, Alfrida Mason, and Mabel Pieper.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. W. T. Eibe and the following teacher and pupils of Silveyville School, of Dixon:

Teacher—Alice Hunsberger. Pupils—Madiene Hunsberger, Marshall Eibe, Ethel Bibby, Angela Luiz, Elizabeth Bibby, Marjorie Eibe, James Campbell, Eddie Johnson, and Leslie Danner.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Concurrent Resolution No. 16—Relative to the appointment of a committee of Assemblymen and Senators to draft resolutions in memory of the late Honorable G. H. Douglas;

Also: Assembly Concurrent Resolution No. 17—Relative to the appointment of a committee of Assemblymen and Senators to take charge of arrangements for the funeral services of the late Honorable G. H. Douglas.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. ORR, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTIONS—(OUT OF ORDER).

Senator Breed asked for, and was granted unanimous consent to take up, for consideration at this time, Assembly Concurrent Resolutions Nos. 16 and 17, without reference to committee, out of the regular order.

ASSEMBLY CONCURRENT RESOLUTION NO. 16.

Relative to the appointment of a committee of Assemblymen and Senators to draft resolutions in memory of the late Honorable G. H. Douglas.

WHEREAS, An All-Wise Providence has removed from our midst by death, our esteemed colleague and associate, Honorable G. H. Douglas; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the speaker of the Assembly appoint five members of this body, and that the President of the Senate appoint five members of the Senate to act as a joint committee to draft suitable resolutions in the memory of our late and esteemed colleague, Honorable G. H. Douglas.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Assembly Concurrent Resolution No. 16 ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 17.

Relative to the appointment of a committee to take charge of arrangements for the funeral services of the late Honorable Gustave H. Douglas.

Resolved by the Assembly, the Senate concurring, That a committee of eight consisting of five members of the Assembly and three members of the Senate, to be named by the Speaker and the President of the Senate, respectively, be appointed, and together with the Chief Clerk of the Assembly and the Secretary of the Senate,

to, so far as it will meet the wishes of his family, take charge of all arrangements for the funeral services of the late Honorable Gustave H. Douglas.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, Arluckle, Boggs, Brood, Canapa, Carr, Chamberlin, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Assembly Concurrent Resolution No. 17 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing:

Also: Senate Bill No. 160—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as section 35a, 1097, 1098, 1099, 1100, and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other States;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, Chairman.

Senate Bills Nos. 158 and 160 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 18—An act limiting the liability of members of boards of supervisors:

Also: Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Senate Bills Nos. 18 and 202 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 432—An act to amend sections 2, 3, 11a, 12, 19 and 20a of, and to add a new section to be numbered 9a, to an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—14; committee vote: Ayes—10; noes—1; absent—3.

JONES, Chairman.

UNANIMOUS CONSENT GRANTED.

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 432 at this time for the purpose of amendment (out of order).

Senate Bill No. 432—An act to amend sections 2, 3, 11a, 12, 19 and 20a of, and to add a new section to be numbered 9a to, an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

Bill read second time.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title, after the comma following the word "three", insert the word "nine" and a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title, after the comma following the word "twelve", insert the word "sixteen" and a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 12, of the printed bill, strike out the word "filing".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, of the printed bill, strike out all of lines 13 and 14 and the following words of line 15, on page 4: "the appeal is pending and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 33, of the printed bill, strike out all after the word "date".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, of the printed bill, strike out all of lines 34, 35, 36, 37 and 38 and insert in lieu thereof the following: "In the event of said appeal from said decision to the superior court of the State of California, the decision of the commissioner shall remain in effect pending the determination of such appeal, unless the party appealing and aggrieved by such decision of the commissioner shall file with the judge of the superior court a bond in a sum to be fixed by said court, which bond shall be in favor of the people of the State of California and be conditioned upon the faithful performance of all the obligations of such appellant or aggrieved person as a real estate broker. Said bond shall be for the benefit of any person having real estate dealings with such appellant or aggrieved person, and any such person so dealing with the same shall have the right to commence a suit thereon in his own name against said broker and his sureties."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 48, of the printed bill, between the word "the" and the word "real", insert the word "state".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

"Section nine of an act entitled 'An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a state real estate department and the office of real estate commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of real estate commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act,' approved May, 27, 1919, as amended,' is hereby amended to read as follows, to wit:

Application for license as real estate broker shall be made in writing to the real estate commissioner, which application shall be accompanied by the recommendation of two real estate owners of the county in which such applicant resides or has his place of business, certifying that the applicant is honest, truthful and of good reputation, and recommending that a license be granted the applicant. If the applicant shall have resided, or shall have engaged in business for less than one year in the county from which the application is made, the same shall also be accompanied by the recommendation of two real estate owners of each of the counties where he has formerly resided or engaged in business during said period of one year prior to the filing of said application, certifying that the applicant is honest, truthful and of good reputation and recommending that a license be granted the applicant. Where the applicant for a real estate broker's license maintains more than one place of business within the state he shall be required to apply for and procure a duplicate license for each branch office so maintained by him. Such duplicate license shall be issued without additional charge. Every such application shall state the name of the person, copartnership or corporation, and the location of the place or places of business for which such license is desired.

Application for license as real estate salesman shall be made in writing to the real estate commissioner, signed by the applicant, setting forth the period of time during which he has been engaged in the business, stating the name of his last employer and the name and place of business of the person, copartnership or corporation then employing him, or in whose employ he is to enter. The application shall be accompanied by the recommendation of his employer, if employed, certifying that the applicant is honest, truthful and of good reputation, and recommending that the license be granted to the applicant.

The real estate commissioner may require such other proof as he may deem advisable of the honesty, truthfulness and good reputation of any applicant for a license, or of the officers of any corporation, or of the members of any copartnership making such application before authorizing the issuance of a license. In addition to proof of honesty, truthfulness and good reputation, the real estate commissioner may also require proof that the applicant has a fair knowledge of the English language, including reading, writing, spelling, elementary arithmetic, a fair understanding of the rudimentary principles of real estate conveyancing, the general purposes and general legal effect of deeds, mortgages, land contracts of sale, and leases, and a general and fair understanding of the obligations between principal and agent as well as of the provisions of the California Real Estate Act."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5 of the printed bill strike out all of line 44 after the word "act".

Amendment adopted.

AMENDMENT NUMBER TEN.

Strike out all of lines 45, 46, 47 and 48, and the part word "missioner" at the beginning of line 49 of said page 5, and insert in lieu thereof the following: "Any person injured by the failure of a real estate broker to perform his duties, or comply with the provisions of this act, shall have the right in his own name to commence such an action against said real estate broker and his sureties for the recovery of any damage sustained by the failure or omission of said real estate broker to perform his duties or either of them, or to comply with the provisions of this act or any of them."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

"Section 16 of an act entitled, 'An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a state real estate department and the office of real estate commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision and licensing thereof; to create the office of real estate commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act,' approved May 27, 1919, as amended,' is hereby amended to read as follows, to wit:

Every officer, agent or employee of any company, and every other person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circularization of any false written statement or representation concerning any land or subdivision thereof offered for sale, and every person who, with knowledge that any advertisement, pamphlet, prospectus or letter concerning any said land or subdivision contains any written statement that is false or fraudulent, issues, circulates, publishes or distributes the same, or shall cause the same to be issued, circulated, published or distributed, or who, in any other respect, wilfully violates or fails to comply with any of the provisions of this act, or who in any other respect wilfully violates or fails, omits or neglects to obey, observe or comply with any order, permit, decision, demand or requirement of the commissioner in this act, is guilty of a public offense, and shall be punished by imprisonment in the state prison or the county jail for a term not to exceed two years, or by a fine of not to exceed two thousand dollars. It shall be the duty of the district attorney of each county in this state to prosecute all violations of the provisions of this section and of this act in the respective counties in which said violations occur, such prosecutions to be instituted, however, only upon the written request or demand of the real estate commissioner."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 26, of the printed bill, before the word "real" insert the word "licensed".

Amendment adopted.

On motion of Senator Jones, Senate Bill No. 432 was re-referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Senate Bill No. 583 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056 and also all the acts and proceedings of said district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

RUSH, Chairman.

Assembly Bill No. 230 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respect-

fully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

ROMINGER, Chairman.

Senate Bill No. 405 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 64—An act to add a new section to the Penal Code, to be numbered 632*d*, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—15; committee vote: Ayes—8; noes 6; absent 1.

ROMINGER, Chairman.

Senate Bill No. 64 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—6.

CARR, Chairman.

Senate Concurrent Resolution No. 19 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923—and reports that the same has been correctly engrossed.

HANDY, Vice Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINETEEN.

Senator Sample asked for and was granted unanimous consent to take up at this time for the purpose of adoption Senate Concurrent Resolution No. 19.

Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 19 adopted by the following vote:

AYES. Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Senate Concurrent Resolution No. 19 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester;

Also: Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor;

Also: Senate Bill No. 534—An act to add sections 290b, 290c, 290d, 290e, and 290f to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917;

Also: Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace;

Also: Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended;

Also: Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the Constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts;

And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 8—Resolution to propose to the people of the State of California an amendment to article XX of the constitution of the State of California, by adding a new section thereunto to be numbered section 22 and relating to the establishment of a State insurance system;

Also: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit; And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities and counties for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing

a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof;

Also: Senate Bill No. 70—An act to amend section 2695 of the Political Code relating to San Diego Bay;

Also: Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego;

Also: Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof;

And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 1, 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 35, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Senate Bill No. 216 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sharkey to introduce a bill entitled—An act concerning the water front of the city and county of San Francisco, and authorizing the State Harbor Commissioners to furnish oil tanks, conveyors and transit sheds in the port of San Francisco, forbidding the exercise of certain powers of the State Harbor Commission and repealing an act entitled "An act concerning the water front of the city and county of San Francisco, and authorizing the State harbor commissioners to furnish oil tanks, conveyors and transit sheds in the port of San Francisco", and repealing an act entitled "An act concerning the water front of the city and county of San Francisco," approved April 30, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Crighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Sharkey: Senate Bill No. 700—An act concerning the water front of the city and county of San Francisco, and authorizing

the State Harbor Commissioners to furnish oil tanks, conveyors and transit sheds in the port of San Francisco, forbidding the exercise of certain powers of the State Harbor Commission and repealing an act entitled "An act concerning the water front of the city and county of San Francisco, and authorizing the State Harbor Commissioners to furnish oil tanks, conveyors and transit sheds in the port of San Francisco," and repealing an act entitled "An act concerning the water front of the city and county of San Francisco," approved April 30, 1919.

Senate Bill No. 700 referred to Committee on Commerce and Navigation.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator McDonald, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 138 was passed was continued until the next legislative day.

MOTION TO RECALL.

Senator Breed moved that the Secretary be directed to recall from the Assembly Senate Constitutional Amendment No. 18, in order that the same be placed upon the Senate file for reconsideration, pursuant to motion adopted March 27, 1923.

Motion carried.

MESSAGE TO ASSEMBLY.

Pursuant to the above action, the following message was transmitted to the Assembly:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: Pursuant to adoption of a motion to reconsider, I am directed to request your honorable body to return to the Senate, Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed—transmitted to your honorable body on March 22, 1923.

J. A. BEEK, Secretary of Senate.

Senate Constitutional Amendment No. 18 received from the Assembly and placed on file.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the Senate.

Otto E. Makowski, Assistant Sergeant-at-Arms-----\$5 00 per day

Resolution adopted.

Also:

Resolved, That the following named person be, and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrants for the said amount, and the Treasurer is directed to pay the same:

James Mulhall, Assistant Sergeant-at-Arms-----\$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Carr:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

Referred to Committee on Rules.

DECISION OF SUPREME COURT AFFECTING COUNTY GOVERNMENT.

On motion of Senator Slater the following decision of the Supreme Court was ordered printed in the Journal:

S. F. No. 10512. In Bank. March 24, 1923.

A. C. BAYLEY, Petitioner, vs. E. F. GARRISON, as Auditor of the County of Alameda, Respondent.

Application for writ of mandate prayed to be directed to respondent, as Auditor of Alameda County, requiring him to audit petitioner's demand for salary. Writ granted.

For Petitioner—Fitzgerald, Abbott & Beardsley.

For Respondent—Ezra W. Decoto, Frank Mitchell, Jr.

This is an original proceeding in mandamus brought by a deputy in the office of the county clerk of Alameda County whose position existed before the county clerk took office on January 6, 1919, but whose compensation was increased by the Legislature of 1921, during the term of the office of the county clerk. The point involved, as stated in the petitioner's points and authorities, is as follows: "His petition involves the question as to the right to increase the pay of existing deputies, during the term of the principal, in cases, where the principal at the commencement of his term was given a fixed salary and allowed deputies, also with fixed salaries, and all paid out of the county treasury."

That question was determined in favor of the petitioner's contention in the case of *Harrold vs. Barnum*, 8 Cal. App. 21. In addition to the authorities cited in that opinion in support of the view there expressed the following cases may be cited: *Board of Com'rs of Muskogee County vs. Hart*, 29 Okla. 693; *State ex rel. vs. Oklahoma City*, 38 Okla. 349; *State ex rel. Gordon vs. _____*, 238 Mo. 168; *Bowers vs. City of Albuquerque*, 200 Pac. 421 (N. Mex.); *Stone vs. State*, 89 So. 824 (Ala. App.); *Queenheim vs. Assessor*, 296 Ill. 494; *People vs. Stang*, 67 Colo. 599, 189 Pac. 27; *Hibberd vs. Suffolk County*, 163 Mass. 34.

The general rule is thus stated in 37 L. R. A. (N. S.) 389 as follows:

"The general rule, however, seems to be that this constitutional prohibition against changing the salary of a public officer during his term of office applies only to officers who have a fixed and definite term, and does not apply to appointive officers, who hold only at the pleasure of the appointing power."

It is clear then that so far as the increase of salary to the deputy is concerned it is not violative of article XI, section 9 of the constitution, which prohibits the increase of the salary of an officer during his term of office for the reason that such deputy has no term of office within the meaning of the constitutional provision.

Does the increase of the salary to a deputy increase the salary of the officer appointing the deputy? In considering this question it should be observed at the outset that the Penal Code (Sec. 74a) makes it a felony for the officer to directly or indirectly receive or accept any part of the compensation of his deputy. That section provides as follows:

"Every officer of this State, or of any county, city and county, city, or township therein, who accepts, keeps, retains or diverts for his own use or the use of any other person any part of the salary or fees allowed by law to his deputy, clerk, or other subordinate officer, is guilty of a felony."

It is clear then that whatever advantage the officer may derive from the fact that his deputy has an increased salary is not a direct benefit, but arises, if at all, from the securing of more valuable or competent help than could be obtained for the lesser amount. Is this advantage an increase of his compensation within the meaning of the constitution? So far as we know this point has never been decided adversely to the constitutionality of an increase of compensation to the deputy because of whatever incidental advantage might result to the principal. The point does not seem to have been considered sufficiently important to have been even suggested in any of the cases. Perhaps the outstanding reason for this is that it is by no means clear that the additional compensation to the deputy is an advantage to the principal and because the fixing of a salary to the deputy is altogether taken out of the hands of the principal and there is no means of ascertaining whether he could do better or worse for himself financially by the selection and payment of the deputy out of his own salary. Perhaps the antithesis of the proposition under consideration will be helpful in reaching a conclusion. The constitution of many of the states prohibits the increase or the decrease of the salary of a public officer as ours does in the case of certain state officers (Const., Art. V, Sec. 17). It has been held that the decrease of the salary of a deputy is permissible notwithstanding this constitutional provision (*Samers vs. State*, 5 So. Dakota 221; S. C. 5 S. D. 585). It seems clear that the Legislature could decrease the compensation of a deputy, at least to a reasonable extent, without in anywise affecting the compensation of the principal. If the same deputy continued to work for the reduced compensation it is evident that the salary of the principal would not thereby be reduced. If the volume of the work of the county officer was so reduced that the number of deputies supplied to him was wholly unnecessary it would seem clear that to take away the salary provisions for such unnecessary deputies would not constitute a reduction of his salary. For instance, if the Legislature should provide that the registration of voters should occur every four years instead of every two years, and should make a corresponding reduction in the office force of the county clerk or registrar of voters, this would hardly be considered a reduction of their salary, for they would receive for their compensation the same amount they had theretofore received.

We conclude that the provisions for the deputy is neither an increase of the salary of the officer nor of the deputy during his term of office within the meaning of article XI, section 9 of our constitution prohibiting an increase of salary.

It is suggested that this construction of our constitution brings this opinion in conflict with that just rendered in the case of *Wines vs. Garrison*, a companion case, for the claimed reason that the conclusion reached is inconsistent not only with the authorities supporting the case of *Wines vs. Garrison*, supra, but also the theory on which the County Government Act is held to be general and uniform within the meaning of article XI, section 4 of the constitution. The question then is this: Does this construction of the act of the Legislature increasing the salary of the deputy render the Political Code dealing with the subject of county government unconstitutional? This suggestion requires a reconsideration of some of the fundamental principles involved in the question. It was definitely determined in the case of *Tulare County vs. May*, 118 Cal. 303, that the system by which in some counties officers were paid in a lump sum and in other counties were paid a certain stipend and were allowed a certain number of deputies to be paid directly from the county treasury, did not destroy the uniformity of county government within the meaning of article XI, section 4 of the constitution. In other words, it was there decided that the Legislature could provide both schemes, for the compensation of county officers and their deputies. That conclusion has ever since been adhered to. A contrary conclusion would result in destroying all the county governments in the State by holding that the entire scheme for the payment of all county officers and deputies is unconstitutional and void. Such a result should not be arrived at if by any reasonable course it can be avoided. The doctrine of stare decisis furnishes the complete escape from this dilemma. It has been determined that the dual system of fixing salaries does not violate article XI, section 4. This conclusion was not only arrived at after full argument and careful consideration, but in order that the conclusion might be reached, three previous decisions of this court were overruled. We ought not now to say after a lapse of twenty-five years and after a continuous and consistent course of legislative and judicial action, that dissimilarities between the two systems, perhaps now for the first time fully appreciated, require us to reverse the decision in *Tulare County vs. May*, supra, and to reconsider the authority of that conclusion.

In this connection it is suggested that the lump sum theory of compensation as discussed in *Tulare County vs. May*, supra, and the corresponding system by which certain deputies were paid directly from the county treasury, were harmonized in the case of *Tulare County vs. May*, supra, by holding in effect that in either case the entire amount to be paid by the county was fixed by the statute, and, in effect, in both cases payments were made to all officers and deputies from the county treasury.

Consequently, it is now suggested that to hold that the lump sum payable from the county treasury can be increased in one class of counties and not in another class of counties, is inconsistent with the decision in *Tulare County vs. May*, supra, and those subsequent decisions following that case, including our own decision of the

companion case, *Wines vs. Garrison*, supra. It is true that the conclusion that the salaries of deputies can be increased in one class of counties by payments from the county treasury and that in order to increase the salaries of deputies in other counties, the increase must come from the officer who receives a lump sum from the county, does demonstrate that there is a difference between the two methods of fixing compensation, but the fundamental question is not whether there is a difference between the two systems, for that there is a difference is perfectly clear to us as it was to the authors of the opinion in *Tulare County vs. May*, but the question is whether the difference, whatever it may be, rises to such proportions as to destroy the uniformity in county government required by the constitution. It was held otherwise in *Tulare County vs. May*, supra. It was there recognized that there were some differences between the two systems, for instance, it was argued that the systems were not uniform for the reason that in one case the county officer could determine whether or not he would employ a deputy and thus determine whether or not the county would be compelled to pay the amount of that deputy's salary, while in the other class of counties the salary was fixed and certain. It was recognized that in one class of counties the saving resulting from not employing a deputy would inure to the benefit of the county officer and in the other class of counties it would inure to the benefit of the county itself. Notwithstanding this discrepancy between the two plans it was held that the system was, nevertheless, uniform. So here, we clearly recognize that the increase of compensation to the deputy in one case must be paid by the county officer, if necessary, and in the other case must be paid by the county, but this does not create a greater irregularity than that involved in the proposition just stated.

Moreover, we are not permitted to examine these questions in the light of cold logic and determine by a system of syllogistic reasoning that a scheme may or may not be right or logical, but we are required merely to ascertain whether or not there is a reasonable doubt as to whether the Constitution has been violated by the legislative enactment. If there is such a doubt, that doubt must be resolved in favor of the validity of the statute. To overturn the statute in question would require us not only to entertain a greater doubt than a reasonable one as to the validity of the legislative action but would also require us to reach that degree of certainty which alone justifies the overturning of previous decisions of this court. Both of these considerations would constrain us to sustain the constitutionality of the act so far as its uniformity is concerned, even though we might entertain some doubt upon that question. It should be noted, also, that the doubt expressed is not as to the conclusion reached in *Tulare County vs. May*, supra, that the act is uniform, but as to the validity of the reasoning by which that conclusion was reached, namely, that the two systems were equal. That is, that the lump sum salary and the salary of the officer plus the deputy's salary were equivalent, and even though we may impeach this reasoning to some extent, it does not require us to set aside the conclusion that the County Government Act as enacted was uniform. As already pointed out, there may be differences and still be uniformity.

We conclude, therefore, that the increase of compensation to a deputy who holds office at the pleasure of his principal is not a violation of article XI, section 9 of the constitution as to him. Second, that the increase of the salary of the deputy is not an increase of the salary of the principal within the meaning of article XI, section 9. Third, under the previous decisions of this court the system by which some officers in some counties are paid a lump sum and others allowed a salary and also deputies and clerks payable from the county treasury is a uniform system, and our present conclusion does not require reconsideration of those cases holding the two systems of payment not to infringe upon the constitutional inhibition against the lack of uniformity in the county government, notwithstanding the fact that the conclusion reached indicates a dissimilarity between the two systems of paying the deputies.

The petition for writ of peremptory mandate will be granted.

WILBUR, C. J.

We concur:

SEAWELL, J.
KERRIGAN, J.
LENNON, J.
MYERS, J.
WASTE, J.
LAWLOR, J.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 538—An act to add a new section, to be numbered section 467a, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

On motion of Senator Chamberlin, Senate Bill No. 538 was passed on file.

Senate Bill No. 85.—An act to add a new title to part IV of division I of the Civil Code to be known as title 23, relating to non-profit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the comma following the word "twenty-three", insert the following: "consisting of sections numbered 653aa to 653xx inclusive, and"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill between the enacting clause and line 1, insert the following paragraph:

"Section 1. A new title is hereby added to part 4 of division first of the Civil Code to be known as title 23, consisting of sections numbered 653aa to 653xx inclusive, and to read as follows:"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, strike out the following: "handling".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 17 to 23 inclusive.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 24, of the printed bill, preceding the word "It" insert the following:

"Sec. 653cc."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 39, of the printed bill, strike out the semicolon and the words "and that for this purpose, the"; also strike out all of lines 40 and 41 on said page 2.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 3, of printed bill, strike out the period and insert in lieu thereof a comma and the following: "unless it is so empowered to do in its articles of incorporation, and in such event it shall not handle the agricultural products of non-members to an amount greater in value than the value of such products as are dealt in or handled by it for its own members or stockholders."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 15, of the printed bill, after the syllable "ing" insert the following: "or packing or manufacturing or processing or preparing for market."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill between lines 22 and 23 insert the following paragraph:

"(g) To levy assessments in the manner and in the amount as may be provided in its by-laws."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 23, of the printed bill, strike out "(g)" and insert in lieu thereof the following: "(h)".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 37, of the printed bill, strike out the words "persons only" and insert in lieu thereof the following: "only such persons as are".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill strike out lines 16 to 26 inclusive and insert in lieu thereof the following:

"(f) If organized without capital stock, whether the voting power and the property rights and interest of each member shall be equal or unequal; and if unequal, the general rule or rules applicable to all members by which the voting power and the property rights and interests, respectively, of each member may and shall be determined and fixed; and providing for the admission of new members who shall be entitled to vote and to share in the property of the association with the old members, in accordance with such general rule or rules. Any such provision shall not be altered, amended, or repealed except by the written consent or vote of three-fourths of the members."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 31, of the printed bill, strike out the comma and the word "if" following the word stock, and insert in lieu thereof a period and the word "If".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 34, of the printed bill, strike out the words "to each" and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 49, of the printed bill, strike out the word "stockholders" and insert in lieu thereof the following: "subscribed capital stock."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN AND ONE-HALF.

On page 4, line 51, of the printed bill, after the words "provisions of" insert the following: "Section two hundred ninety-six of the Civil Code and".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 5, of the printed bill, strike out the words "stockholders, or their" and insert in lieu thereof the following: "subscribed capital stock or the".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 6, of the printed bill, after the word "assent" insert the following: "of a majority of the members or of stockholders representing a majority of all the subscribed capital stock".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 48, of the printed bill, strike out the words "or stockholder".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 5, line 51, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "and the conditions and terms for the repurchase by the corporation from its stockholders of their stock upon their disqualification as stockholders."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, line 51, of the printed bill, strike out the words "withdrawal or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6, lines 3 and 4, of the printed bill, strike out the words "or withdrawal".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, of the printed bill, strike out lines 10 to 23 inclusive and insert in lieu thereof the following:

"653kk Directors—Election. The affairs of the association shall be managed by a board of not less than five directors, elected by the members or stockholders from their own number.

The by-laws may provide that the territory in which the association has members shall be divided into districts and that directors shall be elected from the several districts. In any such case, the by-laws shall specify the number of directors to be elected by each district, the manner and method of reapportioning the directors and of redistricting the territory covered by the association. The by-laws may also provide that primary elections shall be held to nominate directors. Where the by-laws provide that the territory in which the association has members shall be divided into districts, the by-laws may also provide that the results of the primary elections in the various districts shall be final and must be ratified at the annual meeting of the association. The by-laws may also provide that one or more directors may be nominated by any public official or commission or by the other directors selected by the members. Such directors shall represent primarily the interest of the general public in such associations. The directors so nominated need not be members or stockholders of the association; but shall have the same powers and rights as other directors. Such directors shall not number more than one-fifth of the entire number of directors.

An association may provide a fair remuneration for the time actually spent by its officers and directors in its service and for the service of the members of its executive committee.

The by-laws may provide for an executive committee and may allot to such committee all the functions and powers of the board of directors, subject to the general direction and control of the board.

When a vacancy on the board of directors occurs other than by expiration of term, the remaining members of the board by a majority vote, shall fill the vacancy, unless the by-laws provide for an election of directors by districts. In the latter case the board of directors shall immediately call a special meeting of the members or stockholders in that district to fill the vacancy."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 37, of the printed bill, strike out the word "Voting—".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 6 of the printed bill, strike out lines 47 to 51, inclusive, and insert in lieu thereof the following paragraph:

"An association, in its by-laws, may limit the amount of common stock which one member may own."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7 of the printed bill, strike out lines 1 to 3, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE *a*.

On page 7 of the printed bill, strike out all of lines 43 to 48, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 49, of the printed bill, strike out the number 653*pp*, and insert in lieu thereof the following: "653*oo*".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, line 16, of the printed bill, strike out the number 653*qq*, and insert in lieu thereof "653*pp*".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8, line 47, of the printed bill, strike out the number 653*rr*, and insert in lieu thereof "653*qq*".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 9 of the printed bill, strike out lines 8 to 18, inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 9, line 19, of the printed bill, strike out the number "653*tt*", and insert in lieu thereof "653*rr*".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 9, line 27, of the printed bill, strike out the number "653*uu*", and insert in lieu thereof "653*ss*".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 9, line 41, of the printed bill, strike out the number "653*ee*", and insert in lieu thereof "653*tt*".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 10, line 10, of the printed bill, strike out the number "653*ww*", and insert in lieu thereof "653*uu*".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, line 23, of the printed bill, strike out the number "653*xx*", and insert in lieu thereof "653*vv*".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 26, of the printed bill, strike out the word "stockholders", and insert in lieu thereof the word "stock".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 10, line 32, of the printed bill, strike out the word "Stockholders", and insert in lieu thereof the word "stock".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX AND ONE-HALF.

On page 10, line 37, of the printed bill, strike out the word "eight", and insert in lieu thereof the words "six fifty-three *hh*".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On pages 10 and 11, of the printed bill, strike out lines 48 to 52, inclusive, on page 10, and lines 1 to 9, inclusive, on page 11.

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 11, line 10, of the printed bill, strike out the figure 653~~zz~~ and insert in lieu thereof "653~~iw~~".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 11 of the printed bill, strike out lines 21 to 23, inclusive.

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 11, line 24, of the printed bill, strike out the figure 653~~zzb~~ and insert in lieu thereof "653~~xx~~".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 11 of the printed bill, after line 29, add the following paragraph:

"SEC. 2. Constitutionality of act. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State

highway to the boundary line between California and Nevada to be a State highway.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 510—An act to create a cadet reserve in the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER TWO.

Strike out all of the title and insert in lieu thereof the following: "An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period following the figure "1" insert the following:

"SECTION 1. There is hereby created and established the California military reserve.

SEC. 2. The commissioned personnel of said California military reserve shall be of the grades as provided in this act. The other personnel of said reserve shall consist of all pupils and students attending any educational institution (except the University of California) where military science or tactics is taught, as obtains in the United States army.

SEC. 3. In case of insurrection, invasion, tumult, riot or imminent danger thereof the governor shall have power to call forth for active service within the state all or any part of said reserve, for such period as he shall deem necessary; *provided* that said reserve shall not be called into active service unless there is no part of the regularly constituted national guard of this state available for such service.

SEC. 4. No public funds shall be expended or obligated in connection with the creation or maintenance of said reserve, except when it is called into the active service of the state by the governor; *provided*, that the officers and other members of said reserve when called into the active service of the state by the governor shall receive the same base pay as is allowed officers and enlisted men of like grades in the United States army.

SEC. 5. The expenses in connection with the calling forth and duties to be performed by said reserve when called into the active service of the state by the governor shall be paid out of the moneys appropriated by the act of the legislature, approved April 12, 1909, and in the same manner as is prescribed in said act.

SEC. 6. Whenever any military school or military academy, or other educational institution where military science and tactics are taught, whose president or superintendent has been a commissioned officer in the United States army, navy, marine corps, or national guard, or in the volunteer army, during a time of war in which the United States has been engaged, and which said school academy, or institution offers a four years' course of study, and which has filled the requirements of a "Class M" school, as described by the United States war department, makes due application to the governor, said military school, military academy, or educational institution may be designated as a post for the California military reserve, and the faculty of said school, or academy, or institution may be commissioned by the governor as officers in said reserve with rank as follows:

The president or superintendent, as colonel; the vice president or assistant superintendent, as lieutenant colonel; the commandant of cadets, the quartermaster, and

the principal or head master, as majors; those professors and instructors who have served in the Spanish-American or world wars, and those professors and instructors who have had seven years' teaching experience, as captains; the professors and instructors with one year's teaching experience, as second lieutenants.

SEC. 7. Whenever any college or university or other educational institution which has a regularly established military department makes due application to the state authorities, the said college, university, or public educational institution may be designated by the governor as a post of the California military reserve, and certain professors and instructors of the said college, university, or educational institution, shall be commissioned by the governor as officers in the California military reserve. The professors and instructors so commissioned shall be those who by reason of their professional training teach those subjects which bear a practical relation to modern warfare, the instruction of which is of value to the State of California in the training of her young men. The said professors and instructors shall take rank as follows:

The president, as colonel; the dean, as lieutenant colonel; the business manager, and the head of the academic departments concerned in instruction of a practical military nature, as majors; the assistant business manager, those professors and instructors who have served in the Spanish-American or World Wars, and those professors and instructors with over seven years teaching experience, as captains; the professors and instructors who have received previous military training or have had four years teaching experience, as first lieutenants; the professors and instructors with one year's teaching experience, as second lieutenants.

SEC. 8. The adjutant general of this state shall be in control of the California military reserve, subordinate only to the governor, and shall take in consideration the special professional and military qualifications of the professors and instructors so commissioned and the governor shall commission them in that special staff corps, department, or branch of the service, for which by reason of the subject which they teach, they can be of the greatest advantage to the State of California.

SEC. 9. The governor is authorized to commission men with previous military service as officers in the California military reserve, and to also commission as officers in said reserve men whose professional business or industrial experience would be of advantage in the proper defense of the state and the mobilization of her resources; the officers so commissioned in addition to those named in sections six and seven of this act, to constitute in time of peace the commissioned personnel of the California military reserve and to hold themselves for state service in time of war, insurrection, invasion, tumult, riot, or imminent danger thereof.

SEC. 10. That the graduates of the institutions named in this act shall be eligible to appointment as brevet second lieutenants in the California military reserve, and may be commissioned as such and assigned to companies at the discretion of the governor, upon the recommendation of the inspecting officer.

SEC. 11. The officers of said schools, or colleges, or educational institutions as described in this act are to receive no financial support from the State of California, except at such time or times when they may be called into actual service for the purpose of maintaining order or for the protection of life and property when there is no part of the regularly constituted national guard available for that purpose.

SEC. 12. The adjutant general shall make the necessary rules and regulations for the government of the California military reserve."

Amendment adopted.

Senate Bill No. 510 re-referred to Committee on Military Affairs.

Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be known as section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 335—An act to add a new section to the Civil Code to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "sixteen" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after the word "over" insert the following words "as determined by the nearest birthday".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 488—An act to amend section 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i and 2322j of the Political Code, relating to agriculture.

On motion of Senator Osborne, Senate Bill No. 488 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said state by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also, for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

UNFINISHED BUSINESS.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER EIGHTEEN.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof,

to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

Resolution read.

Question being on the adoption of the resolution.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Gates, E. J., moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—36.

The Secretary announced the absentees.

Time, eleven o'clock and fifty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (RESUMED).

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

In the absence of the author, Senate Bill No. 192 was passed on file.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

On motion of Senator Ingram, Senate Bill No. 408 was passed on file.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Senate Bill No. 46—An act to amend section 1 of an act entitled "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—Senators Burnett, Carr, and Lyon—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Gates, E. J.

The Secretary was directed to call the roll, on passage of the constitutional amendment, of the Senators who had not answered to their names.

The roll was called, and Senate Constitutional Amendment No. 18 finally adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, and Slater—28.

NOES—Senators Canepa, Carr, Gates, Dr., Godsil, Gray, Hurley, Inman, McDonald, Murphy, Swing, and West—11.

Senate Constitutional Amendment No. 18 ordered transmitted to the Assembly.

Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

On motion of Senator Jones, Senate Bill No. 456 was passed on file.

Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the superior court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the juvenile court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Hurley moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

The Secretary announced the absentees.

Time, twelve o'clock and thirty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty-three minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Hurley.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 6 finally passed by the following vote:

AYES—Senators Allen, Creighton, Dennett, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Slater, and Swing—22.

NOES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Eden, Gates, E. J., Harris, Hart, Inman, Rominger, Rush, Sample, Sharkey, and West—17.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator West moved to refer Senate Bill No. 45 to Senator Arbuckle, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Commencing on page 3, line 5, of the printed bill, strike out the following: "provided that during the term of office of the present incumbent the salary of the recorder shall be four thousand dollars per annum."

AMENDMENT NUMBER TWO.

Commencing on page 3, line 31, of the printed bill, strike out the following: "provided that during the term of office of the present incumbent the salary of the auditor shall be four thousand dollars per annum."

AMENDMENT NUMBER THREE.

Commencing on page 4, line 28, of the printed bill, strike out the following: "that during the term of office of the present incumbent the salary of the tax collector shall be four thousand dollars per annum."

AMENDMENT NUMBER FOUR.

Commencing on page 6, line 34, of the printed bill, strike out the following: "that during the term of office of the present incumbent the salary of the district attorney shall be four thousand dollars per annum."

AMENDMENT NUMBER FIVE.

Commencing on page 8, line 29, of the printed bill, strike out the following: "that during the term of office of the present incumbent the salary of the surveyor shall be four thousand dollars per annum."

AMENDMENT NUMBER SIX.

On page 10 of the printed bill, strike out all of lines 8, 9 and 10.

AMENDMENT NUMBER SEVEN.

On page 10 of the printed bill, strike out all of lines 41, 42 and 43.

AMENDMENT NUMBER EIGHT.

On page 11, line 12, of the printed bill, after the word "incumbent" where it first appears in said line, insert the following: "elected prior to the year one thousand nine hundred twenty-two."

AMENDMENT NUMBER NINE.

Commencing on page 11, line 18, of the printed bill, strike out the following: "during the term of office of the present incumbent the salary of county librarian shall be two thousand four hundred dollars per annum and".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 45, with instructions to amend, respectfully reports the same back, amended as per instructions.

ARBUCKLE, Special Committee.

Report read, and on motion of Senator West, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

In the absence of the author, Senate Bill No. 194 was passed on file.

Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Ingram moved to refer Senate Bill No. 333 to Senator Johnson, M. B., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "shall" insert the words "be allowed".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 333, with instructions to amend, respectfully reports the same back, amended as per instructions.

JOHNSON, M. B., Special Committee.

Report read, and on motion of Senator Ingram, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block books.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 693 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—27.

NOES—Senators Allen, and Nelson—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 693 was passed.

Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the public utilities act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 434 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unin-

corporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

On motion of Senator Dennett, Senate Bill No. 482 was passed on file.

Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 540 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Powers moved to refer Senate Bill No. 327 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 10 of the printed bill, strike out lines 47 to 53, both inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 327, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Powers, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 123—An act to amend section 1616 of the Political Code, relating to kindergartens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 123 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes,

Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

APPOINTMENT OF SPECIAL COMMITTEES.

Pursuant to Assembly Concurrent Resolution No. 17, the President of the Senate appointed the following as a Committee on Arrangements for the funeral of the late Honorable G. H. Douglas: Senators Nelson, Osborne, and Powers.

Pursuant to Assembly Concurrent Resolution No. 16, the President of the Senate appointed Senators Ingram, Crowley, Hurley, Lyon, and Sample as a Committee on Resolutions of respect to the late Honorable G. H. Douglas.

USE OF SENATE CHAMBER GRANTED.

Senator Rush asked for and was granted unanimous consent for use of the Senate Chamber on Thursday evening, April 5, 1923, for committee meeting of Drainage, Swamp and Overflowed Lands.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—

(RESUMED).

Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1913, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Senate Bill No. 40 to Senator Rominger as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, lines 1 and 2, of the printed bill, strike out the words "by an act approved June 3rd, 1921".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 40, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and on motion of Senator Chamberlin, adopted.
Bill ordered to print and re-engrossment.

ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, March 29, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 28, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Harry P. Barbour, Vice President of State Realty Association of Long Beach and William H. Aken of Los Angeles.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Carrie L. Cummings and C. V. Strain of Oakland.

On request of Senator Gates, Dr., the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following pupils of Esparto Union High School, Esparto, Yolo County:

Miss Laura Manetta, Frances Whisler, Ira Schouling, Gladys Waldon, Alma Fisher, Theresa Schaupp, Raymond Witham, Clyde Landy, Mildred McGruen, Margaret Thompson (D.H.S.), Nellie Williams, Ladine Myers, and Homer Bosse.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 298—An act making an appropriation for the support of orphans, half orphans and abandoned children—has had the same under consideration, and respectfully reports the same back without recommendation, except that it be re-referred to Committee on Finance.

Committee membership—7; committee vote: Ayes—6; absent—1.

ARBUCKLE, Chairman.

Senate Bill No. 298 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 615—An act to repeal section 1313 of the Civil Code, relating to restrictions on devises or bequests for charitable uses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to Committee on Judiciary.

Committee membership—7; committee vote: Ayes—6; absent—1.

ARBUCKLE, Chairman.

Senate Bill No. 615 ordered re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 168—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes;

Also: Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor;

Also: Senate Bill No. 297—An act to amend section 2283 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—7; committee vote: Ayes—6; absent—1.

ARBUCKLE, Chairman.

Senate Bills Nos. 168, 472 and 297 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

ARBUCKLE, Chairman.

Senate Bill No. 471 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenue, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

CARR, Chairman.

Senate Bills Nos. 306 and 494 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16 and 17 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended:•

Also: Senate Bill No. 159—An act to amend sections 11 and 124 of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended;

Also: Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

CARR, Chairman.

Senate Bills Nos. 149, 159 and 211 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 200—An act to amend section 13944 of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

WEST, Chairman.

Senate Bill No. 200 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 591—An act appropriating money for the support, maintenance and equipment of the southern branch of the University of California—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that it do pass as amended, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—5; absent—4.

WEST, Chairman.

Senate Bill No. 591 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, Southern Branch, for the seventy-third and seventy-fourth fiscal years;

Also: Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the Southern Branch of the University of California in Los Angeles:

Also: Senate Bill No. 588—An act appropriating money for the support of the Medical School of the University of California:

Also: Senate Bill No. 589—An act appropriating money for the support of extension courses by the University of California:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—5; absent—4.

WEST, Chairman.

Senate Bills Nos. 337, 338, 588, and 589 ordered re-referred to Committee on Finance.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 91—An act to add a new section to be numbered 57a to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Senate Bill No. 91 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship:

Also: Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship:

Also: Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California:

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Senate Joint Resolutions Nos. 13, 14 and 16 ordered on file.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

Senate Bill No. 235 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 348—An act validating and confirming the organization of irrigation districts:

Also: Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power

lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Senate Bill No. 348 ordered on file for second reading.

Assembly Bills Nos. 227 and 715 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Carr to introduce a bill entitled—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships—has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Carr: Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

Bill read first time, and referred to Committee on Judiciary.

The following resolution was offered:

By Senator Nelson: Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the 26th day of February, 1923.

Senate Concurrent Resolution No. 20 referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Irrigation.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bill No. 1264 ordered re-referred to Committee on Irrigation.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 580—An act regulating the doing of public work, including day's

labor or force account work, by public and quasi public bodies, boards and officers; prescribing the procedure therefor and providing for the preparation, filing and publication of reports and cost data relative thereto by said bodies, boards and officers; providing penalties for violation of this act; and repealing all acts and parts of acts inconsistent therewith—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

SWING, Chairman.

Senate Bill No. 580 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 176—An act to amend section 4237—of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Senate Bill No. 176 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Senate Bill No. 101 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers;

Also: Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class;

Also: Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors;

Also: Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator West:

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof.

Referred to Committee on Rules.

By Senator Gates, Dr.:

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 28, 1923, adopted Senate Joint Resolution No. 1—Relative to the insufficiency of transportation.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Joint Resolution No. 1 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 28, 1923, passed as a case of urgency Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 811 referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 28, 1923, adopted—Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-sixth day of February, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Concurrent Resolution No. 14 referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20a, providing for the alteration of the boundaries of drainage districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 28, 1923, passed the following:

Assembly Bill No. 461—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages on personal property;

Also: Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property;

Also: Assembly Bill No. 463—An act to amend sections 408 and 409, of the Political Code, relating to the Secretary of State;

Also: Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300c, of the Political Code, relating to recorders and fees.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 461 referred to Committee on Banking.

Assembly Bill No. 462 referred to Committee on Banking.

Assembly Bill No. 463 referred to Committee on Banking.

Assembly Bill No. 464 referred to Committee on Banking.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "agreement not in writing, when invalid".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out the words "statute of frauds".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 160—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35a, 1097, 1098, 1099, 1100 and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, strike out the words "Contracts to sell and sales".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 38, of the printed bill, strike out the words "capacity; liabilities for necessities".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 1, of the printed bill, strike out the words "form of contract or sale".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 6, of the printed bill, strike out the words "statute of frauds".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 37, of the printed bill, strike out the words "existing and future goods."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 48, of the printed bill, strike out the words "undivided shares".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 13, of the printed bill, strike out the words "destruction of goods sold".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 28, of the printed bill, strike out the words "destruction of goods contracted to be sold".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 51, of the printed bill, strike out the words "definition and ascertainment of price".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 13, of the printed bill, strike out the words "sale at a valuation".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 32, of the printed bill, strike out the words "effect of conditions".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 46, of the printed bill, strike out the words "definition of express warranty".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 6, line 3, of the printed bill, strike out the words "implied warranties of title".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 20, of the printed bill, strike out the words "implied warranty in sale by description".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 6, line 27, of the printed bill, strike out the words "implied warranties of quality".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 7, line 7, of the printed bill, strike out the words "implied warranty in sale by sample".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 33, of the printed bill, strike out the words "No property passes until goods are ascertained."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 7, lines 39 and 40, of the printed bill, strike out the words "Property in specific goods passes when parties so intend."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 7, line 48, of the printed bill, strike out the words "Rules for ascertaining intention."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 8, line 52, and page 9, line 1, of the printed bill, strike out the words "Reservation of right of possession or property when goods are shipped."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 9, line 38, of the printed bill, strike out the words "Sale by auction."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 5, of the printed bill, strike out the words "Risk of loss."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 41, of the printed bill, strike out the words "Sale by a person not the owner."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 11, line 3, of the printed bill, strike out the words "Sale by one having a voidable title."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 11, line 8, of the printed bill, strike out the words "Sale by seller in possession of goods already sold."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 11, line 18, of the printed bill, strike out the words "Creditors' rights against sold goods in seller's possession."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 11, line 24, of the printed bill, strike out the words "Definition of negotiable document of title."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 11, line 29, of the printed bill, strike out the words "Negotiation of negotiable documents by delivery."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 11, line 45, of the printed bill, strike out the words "Negotiation of negotiable documents by endorsement."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 12, line 1, of the printed bill, strike out the words "Negotiable documents of title marked 'not negotiable'."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 12, line 14, of the printed bill, strike out the words "Transfer of non-negotiable documents."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 12, line 20, of the printed bill, strike out the words "Who may negotiate a document."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 12, line 27, of the printed bill, strike out the words "Rights of person to whom document has been negotiated."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 12, line 40, of the printed bill, strike out the words "Rights of person to whom document has been transferred."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 13, line 6, of the printed bill, strike out the words "Transfer of negotiable document without endorsement."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 13, line 14, of the printed bill, strike out the words "Warranties on sale of document."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 13, line 28, of the printed bill, strike out the words "Indorser not a guarantor."

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 13, lines 32 and 33, of the printed bill, strike out the words "When negotiation not impaired by fraud, mistake or duress."

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 13, lines 43 and 44, of the printed bill, strike out the words "Attachment or levy upon goods for which a negotiable document has been issued."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 14, line 3, of the printed bill, strike out the words "Creditors' remedies to reach negotiable documents."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 14, line 25, of the printed bill, strike out the words "Seller must deliver and buyer accept goods."

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 14, line 29, of the printed bill, strike out the words "Deliver and payment are concurrent conditions."

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 14, line 36, of the printed bill, strike out the words "Place, time and manner of delivery."

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 15, line 14, of the printed bill, strike out the words "Delivery of wrong quantity."

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 15, line 37, of the printed bill, strike out the words "Delivery in installments."

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 15, line 52, of the printed bill, strike out the words, "Delivery to a carrier on behalf of the buyer."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 16, line 22, of the printed bill, strike out the words "Right to examine the goods."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 16, line 41, of the printed bill, strike out the words "What constitutes acceptance."

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 16, line 48, of the printed bill, strike out the words "Acceptance does not bar action for damages."

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 17, line 5, of the printed bill, strike out the words "Buyer is not bound to return goods wrongly delivered."

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 17, line 10, of the printed bill, strike out the words, "Buyer's liability for failing to accept delivery."

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 17, line 36, of the printed bill, strike out the words "Definition of unpaid seller."

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 17, line 51, of the printed bill, strike out the words "Remedies of an unpaid seller."

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 18, line 22, of the printed bill, strike out the words "When right of lien may be exercised."

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 18, line 35, of the printed bill, strike out the words "Lien after part delivery".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 18, line 40, of the printed bill, strike out the words "When lien is lost."

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 19, line 7, of the printed bill, strike out the words "Seller may stop goods on buyer's insolvency."

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 19, line 16, of the printed bill, strike out the words "When goods are in transit."

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 19, line 48, of the printed bill, strike out the words "Ways of exercising the right to stop."

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 20, line 19, of the printed bill, strike out the words "When and how resale may be made."

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 20, line 52, of the printed bill, strike out the words "When and how the seller may rescind the sale."

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 21, line 42, of the printed bill, strike out the words "Action for the price."

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 22, line 15, of the printed bill, strike out the words "Action for damages for non-acceptance of the goods."

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 22, line 40, of the printed bill, strike out the words "When seller may rescind contract or sale."

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 23, line 4, of the printed bill, strike out the words "Action for converting or detaining goods."

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 23, line 9, of the printed bill, strike out the words "Action for failing to deliver goods."

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 23, line 24, of the printed bill, strike out the words "Specific performance."

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 23, line 33, of the printed bill, strike out the words "Remedies for breach of warrant."

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 24, line 34, of the printed bill, strike out the words "Interest and special damages."

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 25, line 1, of the printed bill, strike out the words "Variation of implied obligations."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 25, line 7, of the printed bill, strike out the words "Rights may be enforced by action."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 25, line 10, of the printed bill, strike out the words "Rule for cases not provided for by this act."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 25, lines 17 and 18, of the printed bill, strike out the words "Interpretation shall give effect to purpose of uniformity."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 25, line 21, of the printed bill, strike out the words "Provisions not applicable to mortgages."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 25, line 26, of the printed bill, strike out the word "Definitions."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 26, line 2, of the printed bill, strike out the word "implements" and insert in lieu thereof the word "emblems".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 26, line 40, of the printed bill, strike out the words "Act does not apply to existing sales or contracts to sell."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 26, lines 43 and 44, of the printed bill, strike out the words "No repeal of uniform warehouse receipt act or uniform bills of lading act."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 26, line 40, of the printed bill, strike out the words "Inconsistent legislation repealed."

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 27, line 1, of the printed bill, strike out the words "Name of act."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 27, line 24, of the printed bill, strike out the words "Real property."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 27, line 30, of the printed bill, strike out the word "implement" and insert in lieu thereof the word "emblems".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 27, line 37, of the printed bill, strike out the word "Fixtures."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 27, line 43, of the printed bill, strike out the word "implements" and insert in lieu thereof the word "emblems".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 27, line 50, of the printed bill, strike out the words "Effect of impossibility of ascertaining consideration."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 28, line 7, of the printed bill, strike out the word "Same."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 28, line 16, of the printed bill, strike out the words "What contracts must be written."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 28, line 42, of the printed bill, strike out the words "When party may rescind."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 29, line 11, of the printed bill, strike out the words "Distinction between real and personal property."

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 29, line 17, of the printed bill, strike out the words "When minor may not recover goods."

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 29, line 26, of the printed bill, strike out the words "Agreement to sell real property."

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 29, lines 32 and 33, of the printed bill, strike out the words "Usual common law covenants required by such contracts, when."

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 29, line 41, of the printed bill, strike out the words "Form of such covenants."

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 30, line 6, of the printed bill, strike out the words "Statute of frauds."

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 3, line 47, of the printed bill, strike out the period and insert after the word "goods" the following words: "and as soon as the seller acquires the goods the property therein shall pass to the buyer without further act if the parties so intend."

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 26, line 2, of the printed bill, change "implements" to "emblems."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 18—An act limiting the liability of members of boards of supervisors.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend title to act of printed bill by striking out all that portion of the title following the words "An act", and insert in lieu thereof the following: "limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the words "Section 1." strike out all of said section commencing with the word "No" in said line 1, to and including the word "policy," in line 19 on said page and insert in lieu thereof the following: "No member of any board of supervisors, board of city trustees, city council, board of education, or board of school trustees, shall be liable for the negligent act or omission of any appointee or employee appointed or employed by him in his official capacity, whether such appointment or employment was made singly or in conjunction with other members of such board, except when the member or members of such board making such appointment or employment knew or had notice that the person appointed or employed was inefficient and incompetent to perform or render the service or services for which he was appointed or employed, or retain such inefficient or incompetent person after knowledge or notice of such inefficiency or incompetency.

SEC. 2. Counties, municipalities and school districts shall be liable for injuries to persons and property resulting from the dangerous or defective condition of public streets, highways, buildings, grounds, works and property, in all cases where the governing or managing board of such county, municipality, school district, or other board, officer or person having authority to remedy such condition, had knowledge or notice of the defective or dangerous condition of any such street, highway, building, grounds, works or property and failed or neglected, for a reasonable time after acquiring such knowledge or receiving such notice, to remedy such condition or failed and neglected for a reasonable time after acquiring such knowledge or receiving such notice to take such action as may be reasonably necessary to protect the public against such dangerous or defective condition.

SEC. 3. Whenever any action for damages resulting from injuries caused by or due to the inefficiency or incompetency of any appointee or employee of any such board or any member thereof, or resulting from negligence under the conditions mentioned in section two hereof, is brought against any member or members of any such board and such member or members against whom such action is brought had neither knowledge nor notice of the inefficiency or incompetency of such appointee or employee at the time of the injury, nor had neither knowledge nor notice as provided in section two hereof, the cost of defending such action, including such attorney fees as shall be actually expended in defending such action, shall be a charge against the county, city and county, city or school district of which such member was an officer."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

After the figures "270" insert the following:

"270. A father of either a legitimate or illegitimate child who wilfully omits without lawful excuse to furnish necessary food, clothing, shelter or medical attendance for his child is guilty of a misdemeanor and punishable by imprisonment in the county jail not exceeding two years or by a fine not exceeding one thousand dollars (\$1,000.00), or by both. This statute shall not be construed so as to relieve such

father from the criminal liability defined herein for such omission merely because the mother of such child, or any other person, or organization, voluntarily or involuntarily furnishes such necessary food, clothing, shelter or medical attendance for such child, or undertakes to do so. Proof of abandonment or desertion of a child by such father, or the omission by such father to furnish necessary food, clothing, shelter or medical attendance for his child is prima facie evidence that such abandonment or desertion or omission to furnish necessary food, clothing, shelter or medical attendance is wilful and without lawful excuse. The provisions of this section are applicable whether the parents of such child are married or divorced, and regardless of any decree made in any divorce action relative to alimony or to the support of the wife."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after the word "misdemeanor", add the following: *Provided*, this does not apply to crab meat (Cancer magister or others) caught and prepared without the state and packed in sanitary tins marked to show the contents where taken and prepared. *Further provided*, that the manufacturers or wholesalers of such crab meat (Cancer magister or others) caught and prepared without the state and packed in tins marked to show the contents thereof shall supply to the Fish and Game Commission the name of such retailers or dealers in such crab meat.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 64—An act to add a new section to the Penal Code, to be numbered 632*d*, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "rivers or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, following the period, after the word *Indian*, insert the following: This act shall by no means be construed to apply to rivers, inland waters or bays, in this state.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

SPECIAL ORDER.

Senator Inman moved that Senate Bill No. 64 be made a special order for Tuesday, April 3, 1923, at twelve o'clock.

Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act: and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 1, 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section to be numbered section 68, said section relating to the protection of vested rights to the use of water.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 19 of the title of the printed bill strike out the word "one".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the word "one" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out lines 14 to 28, both inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill, strike out the following: "that would be benefited".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 32, of the printed bill, between the words "the" and "system" insert the word "same".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 32 and 33, of the printed bill, strike out the words "proposed in such petition".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, lines 36 and 37, of the printed bill, strike out the words "and so benefited".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 43, of the printed bill, strike out the word "such".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 48, of the printed bill, strike out the words "but may include the", and also strike out all of lines 49 and 50.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 1, of the printed bill, strike out the following: "Sec. 3" and insert in lieu thereof "Sec. 2".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 27, of the printed bill, after the word "the" insert the following: "county, or one of the counties, within which any portion of the lands of said proposed district are situated".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 28, of the printed bill, strike out the words "proposed district".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, after the word "determine" strike out the words "what lands, if any, not included in", and also strike out all of lines 5 to 12, both inclusive, and insert in lieu thereof the following: "the right of all parties holding title or evidence of title to lands not included in the water storage district proposed in said petition, but which lands are already irrigated or susceptible of irrigation from the same common source and by the same system of storage and irrigation works as are particularly referred to and described in said petition, to have said lands included in said district".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 30, of the printed bill, strike out "Sec. 4" and insert in lieu thereof "Sec. 3".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 7, of the printed bill, strike out the words "which lands", also strike out all of lines 8 and 9.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 10, of the printed bill, strike out the words "proposed project".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 12, of the printed bill, after the word "to" insert the word "other", and also strike out the words "not included in the proposed district".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 13, of the printed bill, strike out the words "that are".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 5, line 14, of the printed bill, strike out the word "said", and after the word "source" insert the following: "and by the same system of storage and irrigation works in said petition more particularly referred to and described", and also strike out the words "and that will be benefited by the pro-".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, line 15, of the printed bill, strike out the following: "posed project".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 44, of the printed bill, strike out the following: "Sec. 5" and insert in lieu thereof "Sec. 4".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 28, of the printed bill, strike out the following: "Sec. 6", and insert in lieu thereof "Sec. 5".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 32, of the printed bill, after the word "and" insert the following: "every such holder of title or evidence of title".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 4, of the printed bill, strike out "Sec. 7" and insert in lieu thereof "Sec. 6".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 35, of the printed bill, strike out "Sec. 8" and insert in lieu thereof "Sec. 7".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 12, of the printed bill, strike out the period after the word "States" and insert in lieu thereof a comma, and also after the word "States," insert the following: "*provided, however,* that where any such tract of land consists of more than one section such apportionment to such tract of land shall be made according to legal subdivisions thereof or to other boundaries sufficient to identify the same in subdivisions not greater than one section in area, but any failure or defect in complying with this requirement shall not invalidate said apportionment or said assessment".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 38, of the printed bill, strike out "Sec. 9" and insert in lieu thereof "Sec. 8".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 19, line 10, of the printed bill, strike out "Sec. 10" and insert in lieu thereof "Sec. 9".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 20, line 26, of the printed bill, strike out "Sec. 11" and insert in lieu thereof "Sec. 10".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 20, line 42, of the printed bill, strike out "Sec. 12" and insert in lieu thereof "Sec. 11".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 21, line 7, of the printed bill, strike out "Sec. 13" and insert in lieu thereof "Sec. 12".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 21, line 11, of the printed bill, after the word "and" insert the following: "every such holder of title or evidence of title".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 21, line 32, of the printed bill, strike out "Sec. 14" and insert in lieu thereof "Sec. 13".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 22, line 15, of the printed bill, strike out "Sec. 15" and insert in lieu thereof "Sec. 14".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 22, line 19, of the printed bill, after the word "by" insert the following: "the owners of more than fifteen per cent of the total assessed valuation of the", and also strike out the words "ten per cent of the".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 22, line 20, of the printed bill, strike out the words "voters holding title or evidence of title to".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 22, line 27, of the printed bill, strike out "Sec. 16" and insert in lieu thereof "Sec. 15".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 22, line 42, of the printed bill, strike out "Sec. 17" and insert in lieu thereof "Sec. 16".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777,

and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 488—An act to amend section 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* of the Political Code, relating to agriculture.

Senate Bill No. 488 re-referred to Committee on Agriculture and Live Stock.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 408 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 456—An act to repeal sections 3094 and 3095 of the Political Code, relating to the dissection of dead bodies, and all other acts or portions of acts in conflict with this act, and to substitute therefor the following act to prevent unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records; and to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead and to provide penalties for the violation of this act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 456 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 45 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 333 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Dennett moved to refer Senate Bill No. 482 to Senator Harris, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 8, of the printed bill, strike out the words "three thousand six", and insert in lieu thereof the word "five".

AMENDMENT NUMBER TWO.

On page 3, line 21, of the printed bill, strike out the word "If" at the end of the line, and all of lines 22, 23, 24 and 25.

AMENDMENT NUMBER THREE.

On page 3, line 47, of the printed bill, after the word "February" insert the words "following such declaration."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 482, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARRIS, Special Committee.

Report read, and on motion of Senator Dennett, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 327—An act to amend section 4041 of the Political Code, relating to the powers of supervisors.

On motion of Senator Powers, Senate Bill No. 327 was re-referred to Committee on County Government.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gray moved to refer Senate Bill No. 458 to Senator Sharkey as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 8 following the period, all of lines 9 to 25, both inclusive, and insert in lieu thereof the following: "There shall be deducted monthly from the salary of every teacher subject to the burdens of this act, one dollar, and every official whose duty it is to pay said teacher's salary shall make said deduction at the time of payment and shall, at the end of each quarter, draw a warrant in favor of the state treasurer for the amounts deducted; *provided*, that in every city or city and county or incorporated town which constitutes a separate school district, as provided in section one thousand five hundred seventy-six of the Political Code, every official whose duty it is to draw warrants or demands for the payment of said teacher's salary upon any official whose duty it is to pay said teacher's salary, shall, in drawing said warrant or demand, deduct from the amount due as salary to said teacher the sum of one dollar per month and shall transmit to the state treasurer, quarterly, a report showing each deduction for each month of said quarter and also the total sum of said deductions, and shall transmit a copy of said report to the official whose duty it is to pay said teacher's salary; in such case the official whose duty it is to pay said salary shall draw a warrant in favor of the state treasurer for the total amount deducted, as herein provided, and remaining in the hands of said official. The amounts thus deducted and remitted, as in this section provided, shall be deposited in the state treasury to the credit of the public school teachers' permanent fund and shall constitute part thereof."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 458, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Gray, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers.

On motion of Senator Inman, Senate Bill No. 465 was passed on file.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 331 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Rush, Sample, Sharkey, Slater, and West—28.

NOES—Senator Chamberlin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theatres and moving picture houses; and providing penalties for its violation," approved June 3, 1921.

On motion of Senator Osborne, Senate Bill No. 552 was re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the

practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 537—An act to amend sections 2 and 50a of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Senate Bill No. 537 to Senator Rominger as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 20, of the printed bill, strike out the period at the end of the line and insert in lieu thereof a comma and the following: "except warehouses conducted by non-profit co-operative associations as defined and authorized by section 653m of the Civil Code solely for the use of the bona fide members thereof."

AMENDMENT NUMBER TWO.

On page 6, line 40, of the printed bill after the word "present" insert the following: "or future".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 537, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and on motion of Senator Chamberlin, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 401—An act providing rules and regulations governing reforestation, under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires.

On motion of Senator Johnson, A. B., Senate Bill No. 656 was passed on file.

Senate Bill No. 534—An act providing for the issue by private corporations of capital stock without nominal or par value.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 534 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 41 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 76 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which

became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1913, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 40 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read, and during its reading, Senator Chamberlin moved to refer to a Special Committee of One, for the purpose of amending same.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the reading of the title of Senate Bill No. 40, Senator Chamberlin moved to refer to Senator Rominger, as a Special Committee of One, for the purpose of amending as follows:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of lines 1 to 21, inclusive, of the title and insert in lieu thereof the following:

"An act to amend section six of an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof", which became a law under the provisions of the constitution of the State of California without the governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto, approved June 6, 1913, as amended, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, providing for the care and disposition of moneys in their hands, providing for their removal and tenure of office, and providing for additional deputy clerks for said courts."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 40, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and on motion of Senator Chamberlin, adopted.

Title amended.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 8—Resolution to propose to the people of the State of California an amendment to article XX of the constitution of the State of California, by adding a new section

thereunto to be numbered section 22 and relating to the establishment of a State insurance system.

On motion of Senator Johnson, M. B., Senate Constitutional Amendment No. 8 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 20.

A resolution to propose to the people of the State of California an amendment to section thirty-one of article four of the constitution of the State of California relating to the giving or lending of public credit.

The Legislature of the State of California, at its regular session, commencing on the eighth day of January, 1923, two-thirds of the members elected to each of the two houses of the Legislature voting in favor thereof, hereby propose an amendment to section 31 of article IV of the constitution of the State of California to read as follows:

Sec. 31. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township, or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift, or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever; *provided*, that nothing in this section shall prevent the Legislature granting aid pursuant to section 22 of this article; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever; *provided, further*, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its use and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country; and *provided, still further*, that notwithstanding the restrictions contained in this section, the treasurer of any city, county, or city and county shall have power and it shall be his duty to make such temporary transfers from the funds in his custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any city, county, city and county, district, or other political subdivision whose funds are in his custody and are paid out solely through his office. Such temporary transfer of funds to any political subdivision shall not exceed 85 per cent of the taxes accruing to such political subdivision, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to such political subdivision before any other obligation of such political subdivision is met from such taxes.

Senate constitutional amendment read.

The question being on the passage of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 20 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Senate Constitutional Amendment No. 20 ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until one o'clock and thirty minutes.

COMMUNICATION.

The following communication was received by Senator Gates, Dr., and ordered printed in the Journal:

DAVIS, CALIFORNIA, March 28, 1923.

Hon. W. F. Gates,
Senate Chamber, Sacramento, California.

DEAR SENATOR: I am requested by the Business Men's Association of the city of Davis to extend to you and the members of the Senate, an invitation to visit the

University Farm, at Davis; the time to suit the convenience of the members of the Senate. I would suggest that this visit be made some afternoon after an early adjournment.

If you will advise me as to this matter we will use every endeavor to make the visit of the members an enjoyable one. We will arrange to come over and bring them by machine out to Davis, and then return them to Sacramento.

Very truly yours,

F. A. PLANT.

APPOINTMENT OF SPECIAL COMMITTEE.

Pursuant to the above communication the President of the Senate appointed Senators Boggs and West a committee of arrangements to confer with the Business Men's Association of Davis.

RECESS.

At one o'clock and twenty-five minutes p.m., on motion of Senator Jones, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (RESUMED).

CONSIDERATION OF MOTION TO RECONSIDER.

Senator Crowley asked for and was granted unanimous consent to take up for consideration at this time the motion to reconsider the vote whereby Senate Bill No. 138 was passed.

The question being on the motion to reconsider.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Crowley moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hurley, Ingram, Inman, Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

The Secretary announced the absentees.

Time, two o'clock and thirty minutes p.m.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER THE CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (RESUMED).

Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities and cities and counties for

the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, state or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR JONES IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Senator Jones of the twenty-eighth district was called to the chair.

Senate Bill No. 70—An act to amend section 2605 of the Political Code, relating to San Diego Bay.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 69 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

APPOINTMENT OF SPECIAL COMMITTEE.

On request of Senator Breed, the Chair appointed Senators Breed and Boggs as a committee to escort Governor Richardson and Governor Charles R. Mabey of Utah to the Senate chamber.

On request of the Chair, Governor Richardson and Governor Mabey of Utah were invited to address the Senate.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 237 passed by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Bill read second time, and ordered on file for third reading.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock and thirty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Burnett:

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section six of the Workmen's Insurance and Safety Act of 1917, approved May 23, 1917, as amended.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 403—An act to amend section 1557 of the Penal Code, relating to extradition—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Senate Bill No. 403 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Assembly Bill No. 390 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 49—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

INMAN, Chairman.

Senate Bill No. 49 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 15—Relative to industrial disputes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Senate Joint Resolution No. 15 ordered on file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McDonald.

The Secretary was directed to call the roll, on the reconsideration of Senate Bill No. 138, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 138 was granted reconsideration by the following vote:

AYES—Senators Allen, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Hart, Hurley, Ingram, Inman, Johnson, M. B., McDonald, Murphy, Osborne, Rush, Swing, and West—21.

NOES—Senators Arbuckle, Boggs, Breed, Carr, Eden, Gates, E. J., Handy, Harris, Hughes, Johnson, A. B., Jones, Lewis, Lyon, Nelson, Powers, Sample, Sharkey, and Slater—18.

Senate Bill No. 138 ordered on file.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of lines 1, 2, 3, 4 and 5 of the title and in lieu thereof insert the following:

"An act declaring the improved county highway extending from a point in Napa county where such highway intersects the state highway leading to Sacramento, to the north boundary of Vallejo in Solano county, and the improved county highway extending from the south boundary of Vallejo to the Straits of Carquinez to be state highways."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out lines 1 to 16, both inclusive, and in lieu thereof insert the following:

"SECTION 1. That certain improved county highway extending in a general southerly direction from a point in Napa county where such highway intersects the state highway leading to Sacramento, to the north boundary of the city of Vallejo in Solano county, and that certain improved county highway extending in a general southerly direction from the south boundary of the city of Vallejo to the Straits of Carquinez, are hereby declared to be state highways and placed under the supervision and control of the state highway commission."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "Department of Public Works" and insert in lieu thereof the following: "California Highway Commission".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056 and also all the acts and proceedings of said district.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At three o'clock and thirty-five minutes p.m., on motion of Senator Gates, E. J., the President declared the Senate adjourned until Friday, March 30, at ten o'clock.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, March 30, 1923.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 29, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Rush was, on motion of Senator Eden, granted leave of absence for this day.

Senator Hart was, on motion of Senator Rominger, granted leave of absence for this day.

Senator Jones was, on motion of Senator Breed, granted leave of absence for this day.

PETITION.

The following petition was presented by Senator Dennett, and ordered printed in the Journal:

*To the Committee on Education of the Senate,
California Legislature, 1923.*

DEAR SIR: In view of the proposed act known as Senate Bill No. 7 having been referred to your committee, we respectfully present for your consideration the following reasons why said bill ought not to pass:

1. In Shanghai, China, and Tokyo, Japan, and in many other cities of the Orient, the American residents have founded schools for preparing their children for our American high schools and colleges. These are regarded as a necessity, and many Anglo-Saxon residents in California have enjoyed their advantages. We certainly should be willing to grant to foreigners and their children living in this State the same privileges accorded our citizens who are living abroad. At least we should guard against such possible retaliation as would sacrifice the best interests of Americans living abroad, including hundreds of missionary families.

2. The items in paragraphs first to tenth inclusive, of section 1 of the proposed law are practically provided for in the existing law, and contain all that relates to the government of private schools. As will be seen, the rest refers to the abolishment of such schools. There can be no possible objection to proper regulation of private language schools such as proposed in the above paragraphs (1-10), and genuine Americanism requires something of this character. For such regulation, a new law seems to us entirely unnecessary.

3. Our objections are to paragraphs 11 and 12, *i. e.*, lines 20-46 of page 3. It is here proposed to do away with the teaching of foreign languages in private schools, conducted wholly or in part in the language of a foreign nation, it being provided that they shall cease to exist after July 1, 1930, unless conducted wholly in the English language. Paragraph 12 provides for a gradual reduction, no permit to be issued after September 1, 1926.

4. In its application to the teaching of the Chinese language this will close the Christian missionary schools throughout the State of California, and at the same time close the door of opportunity for one of the finest pieces of Americanization among the Chinese that has existed up to the present. These schools are intimately related to the present plans of Americanization and Christianization of all the churches—Catholic and Protestant.

5. In its application to the Japanese, we beg to call your attention to the following facts:

(a) Teacher training institutes were organized in 1921 in San Francisco, Los Angeles and Fresno with courses covering two weeks in American History, American Government, Civics, and American Ideals and Institutions. Among the teachers and lecturers were Mr. Sam H. Cohn of the Department of Education, Prof. C. E. Rugh of the University of California, Judge Wm. H. Waste, Dr. R. R. Perkins of the San Francisco Y. M. C. A., and other leading Americans, including several mission superintendents and other Christian workers among Orientals in this State.

Upon the recommendation of the State Board of Education the following textbooks were used:

History of the American People, by Beard and Bagley;
American Government, by Magruder;
American Citizenship, by Beard, and
Civics for New Americans, by Hill and Davis.

In addition to the purchase of 200 textbooks, the work of Americanizing the teachers cost about \$1,500. Correspondence courses in Americanization are also being conducted. In every way, the Japanese residents have shown the best of faith and a hearty desire fully to cooperate.

(b) In co-operation with the State Board of Education, the Japanese of California, at an expense of over \$7,500.00 in addition to the above, have had textbooks prepared specially adapted to the needs of California-born Japanese, with emphasis upon America rather than Japan. During the past year, the Japanese language schools were obliged to use textbooks prepared in Japan (with the permission of the State Board of Education) and were therefore not able to do the work in as thorough and satisfactory a manner as they will be able to do after May, 1923, when the new textbooks will be ready. It seems only fair to give these schools opportunity to demonstrate what they can do under the present law, when fully prepared, before seeking to abolish them. If after a fair test they prove unsatisfactory, it will then be time to seek further restriction.

(c) There is no necessity for the proposed law from the standpoint of American loyalty. Among the signers of this petition are missionaries who have thoroughly tested the situation with the result that American-born Japanese children who have attended these schools, even in the densest Japanese population, have innocently proven that they have a better understanding of American great men and national holidays than of the land of their fathers.

6. More and more, the Orientals in California are demonstrating their genuine Americanism. It is easier and safer to lead them than to drive them. They naturally desire and need to know the language of their parents. Further restrictive legislation in California is liable to produce the opposite effect from that intended by the advocates of the bill. What is needed is sympathetic guidance of the young people born in this State rather than action that will directly tend to alienate them.

7. In theory, all foreign-born parents in this country should acquire a working knowledge of English, and there is much to encourage us in this respect. But it must be admitted that foreign-born parents of many nationalities do not possess such a knowledge of our language. The cutting off of these language schools will hence make it impossible for the children trained in our public schools and Sunday schools to communicate to their parents the important things which they gain in these ways. The result will be a distinct loss to Americanism. The young people of Oriental parentage born in this country and trained in our schools are further handicapped in entering business, whether with Americans or Japanese, unless able to speak and write both languages.

In conclusion, while we recognize the importance and wisdom of proper regulation, which seems to be amply provided in the existing law, there is no necessity for the proposed abolishment of private schools in this State conducted wholly or in part in a foreign language. There is no sufficient proof that said schools are used for teaching loyalty to the mother countries, especially Japan, nor does experience show that foreign language study retards the children in their regular school work. Neither is it true that these Japanese schools are nearly all Buddhist. There are fifty-five Japanese language schools in the State, divided as follows: Nine Christian, seven Buddhist and thirty-nine non-religious which are supported by interested parents.

We deem it very unwise to irritate unnecessarily our Oriental neighbors in China and Japan and their people who are living among us and who are manifesting such a desire to be Americanized in the best sense. We repeat that the proposed action, involving the abolishment of all language schools, will place in jeopardy the interests of Americans who have already established similar English schools in China and Japan for the education of their own children.

We recommend that the proposed law do not pass, particularly that portion looking toward the abolishment of the language schools. We have no objection to any proper law regulating the government of private schools, which is necessary in the interest of the State.

Very respectfully,

EDWARD L. PARSONS, Bishop Coadjutor of California.

And 7 others.

March 24, 1923.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 29, 1923.

To the Senate of the State of California.

GENTLEMEN: Pursuant to the provisions of section 6 of chapter 828 of the Statutes of 1921, entitled "An act to authorize suits against the State for services rendered to the State or for moneys expended in connection with such services, and regulating the procedure therein," approved June 3, 1921, J. B. Curtin has recovered a judgment against the State of California for the sum of \$11,947.00, which judgment has been affirmed by the District Court of Appeal, in and for the Third Appellate District, and is now final.

Very respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 29, adopted Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Joint Resolution No. 2 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 29 adopted Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Concurrent Resolution No. 19 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 29 passed the following:

Assembly Bill No. 31—An act to amend section 19-10 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions: establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers:

Also: Assembly Bill No. 40—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, 4236n, 4236o, 4236p, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAS. E. POWERS, Assistant Clerk.

Assembly Bill No. 31 referred to Committee on Judiciary.

Assembly Bill No. 40 referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 29 passed the following:

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the bureau of labor statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency:

Also: Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer";

Also: Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the state into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also: Assembly Bill No. 299—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment.

Also: Assembly Bill No. 303—An act to amend section 671 and 674 of the Code of Civil Procedure and to repeal section 671a of said code, relating to judgment liens and transcripts of judgments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAS. E. POWERS, Assistant Clerk.

Assembly Bill No. 85 referred to Committee on Labor and Capital.

Assembly Bill No. 97 referred to Committee on Judiciary.

Assembly Bill No. 259 referred to Committee on Reapportionment.

Assembly Bill No. 299 referred to Committee on Judiciary.

Assembly Bill No. 303 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 29 passed the following:

Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared;

Also: Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns;

Also: Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people;

Also: Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State;

Also: Assembly Bill No. 516—An act to amend the title of, and to add a new section to be numbered 8 to an act entitled "An act to provide for public cemetery districts," approved March 6, 1909, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAS. E. POWERS, Assistant Clerk.

Assembly Bill No. 305 referred to Committee on Judiciary.

Assembly Bill No. 315 referred to Committee on Elections.

Assembly Bill No. 320 referred to Committee on Roads and Highways.

Assembly Bill No. 322 referred to Committee on County Government.

Assembly Bill No. 516 referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 29 passed the following:

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921;

Also: Assembly Bill No. 880—An act to provide authority to any county in California to cooperate with the United States Department of Agriculture and the California Department of Agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter 714, Statutes 1921;

Also: Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff;

Also: Assembly Bill No. 281—An act entitled "An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer."

ARTHUR A. OHNIMUS, Chief Clerk.

By JAS. E. POWERS, Assistant Clerk.

Assembly Bill No. 734 referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 880 referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1169 referred to Committee on County Government.

Assembly Bill No. 281 referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the federal board for vocational education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—14; absent—1.

HARRIS, Chairman.

Senate Bill No. 222 re-referred to Committee on Finance.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

SLATER, Chairman.

Senate Bill No. 413 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to the Committee on Finance.

Committee membership—9; committee vote: Ayes—7; absent—2.

WEST, Chairman.

Senate Bill No. 630 re-referred to Committee on Finance.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 43—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, relating to the insurance of school districts from liability for injury to pupil—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to Committee on Judiciary.

Committee membership—15; committee vote: Ayes—14; absent—1.

HARRIS, Chairman.

Senate Bill No. 43 re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 128—An act appropriating funds for the promotion of vocational classes in music in the high schools of the State;

Also: Senate Bill No. 44—An act relating to liability for injury to school children;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—14; absent—1.

HARRIS, Chairman.

Senate Bills Nos. 128 and 44 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—2.

SWING, Chairman.

Senate Bill No. 36 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Senate Bill No. 481 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 432—An act to amend sections 2, 3, 9, 11a, 12, 16, 19 and 20a of, and to add a new section to be numbered 9a, to, an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; absent—6.

JONES, Chairman.

Senate Bill No. 432 ordered on file for third reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 240—An act granting certain tidelands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions;

Also: Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent 5.

OSBORNE, Chairman.

Senate Bills Nos. 240 and 242 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Seannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—6; absent—5.

OSBORNE, Chairman.

Senate Bill No. 167 re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 248—An act to amend sections 7, 8e, and 8g, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof", approved March 6, 1907, as amended and to add two new sections thereto to be known as section 5a and section 8h—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

CROWLEY, Chairman.

Senate Bill No. 248 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses; and providing penalties for its violation," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

CROWLEY, Chairman.

Senate Bill No. 552 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734c, relating to the change of boundaries of high school districts;

Also: Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

HARRIS, Chairman.

Senate Bill No. 427 ordered on file for second reading.

Assembly Bill No. 811 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

OSBORNE, Chairman.

Assembly Bill No. 637 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653aa to 653xx inclusive, and relating to nonprofit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation:

Also: Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act:

Also: Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners:

Also: Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway:

Also: Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border:

Also: Senate Bill No. 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service:

Also: Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations:

Also: Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors:

Also: Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship:

Also: Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship:

Also: Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California;

And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof:

Also: Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof:

Also: Senate Bill No. 537—An act to amend sections 2 and 50a of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and

repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Eden:

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator W. F. Gates to introduce a bill entitled—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Beggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—24.
NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Gates, W. F.: Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis.

Senate Bill No. 702 read first time, and referred to Committee on Universities and Teachers Colleges.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Burnett to introduce a bill entitled—An act to amend section 6 of the Workmen's Insurance and Safety Act of 1917, approved May 23, 1917, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Sharkey, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Burnett: Senate Bill No. 703—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended.

Senate Bill No. 703 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—RESUMED.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator West to introduce a bill entitled—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Sample, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator West: Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof.

Senate Bill No. 704 read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Eden to introduce a bill entitled—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act", approved March 20, 1903, as amended—has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Eden: Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

Senate Bill No. 705 read first time, and referred to Committee on Agriculture and Live Stock.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

LEWIS, Chairman.

Assembly Concurrent Resolution No. 10 ordered on file.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

CROWLEY, Chairman.

Senate Bill No. 689 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation', approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

CROWLEY, Chairman.

Senate Bill No. 392 ordered on file for second reading

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—4; committee vote: Ayes—5; noes—2; absent—2.

CROWLEY, Chairman.

Senate Bill No. 126 ordered on file for second reading.

UNANIMOUS CONSENT.

Senator Johnson, M. B., asked for and was granted unanimous consent to take up (out of order) for the purpose of adoption Assembly Concurrent Resolution No. 10.

Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Sample, Sharkey, Swing, and West—28.

NOES—None.

Assembly Concurrent Resolution No. 10 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534a relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and repealing section 1534 of the Political Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—13; absent—1; not voting—1.

HARRIS, Chairman.

Senate Bill No. 7 re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 432—An act to amend sections 2, 3, 9, 11*a*, 12, 16, 19 and 20*a* of, and to add a new section to be numbered 9*a*, to an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of a Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, E. J., moved to refer Senate Bill No. 432 to Senator Breed as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the word "sixteen" and in lieu thereof insert the word "nine".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill strike out the words "and twenty *a*" and in lieu thereof insert the following: ", twenty *a* and twenty *b*".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill strike out lines 9 to 21, both inclusive, and in lieu thereof insert the following:

"SEC. 8. Section nine of said act approved May 27, 1919, as amended, is hereby amended to read as follows:"

AMENDMENT NUMBER FOUR.

On page 6, line 22, of the printed bill, before the word "Application" insert the following "Sec. 9."

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill strike out lines 19 to 31, both inclusive, and in lieu thereof insert the following:

"SEC. 9. Section twenty *b* of said act approved May 27, 1919, as amended, is hereby amended to read as follows:"

AMENDMENT NUMBER SIX.

On page 7 of the printed bill in line 32 before the word "Every" insert the following: "Sec. 20*b*."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 432, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Gates, adopted.
Bill ordered to print, and re-engrossment and on file.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

On request of author, Senate Bill No. 538 was passed on file.

Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 67, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of printed bill. In line 2 of title to bill strike out the words "sixty-seven".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 7, of printed bill, strike out the word "assessment" and insert in lieu thereof the word "warfare".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 3, of printed bill, strike out the comma after the word "November" and insert a comma after the word "date".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 12, of printed bill, strike out comma after the word "interest" and insert in lieu thereof a period, and strike out the following: "except the last, which is for interest from the".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5 of printed bill, strike out lines 13 and 14.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 51, of printed bill, strike out the words "in each year after" and insert in lieu thereof the following: "of every year after the fifteenth day of the next November following".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 49, of printed bill, strike out the word "effect" and insert in lieu thereof the word "affect".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 24, of printed bill, strike out the word "an" and insert in lieu thereof the word "any".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 494 An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of printed bill, strike out all of this bill beginning with line 11 and substitute in lieu thereof the following:

"Sec. 11. (a) In the event of such bonds being so issued, then the assessments, which shall be unpaid, as shown on the list filed by the superintendent of streets and determined by the city council, and any reassessments which may be issued thereon or in lieu thereof, together with interest thereon, shall remain and constitute a trust fund for the redemption and payment of said bonds and of the interest which may be due thereon. Such assessments and reassessments and each installment thereof and the interest and penalties thereon shall be and shall continue to constitute a lien against the lots and parcels of land on which made, until the same be paid, but for a period not exceeding the time within which an action might be brought on the last series of bonds issued upon the security of such unpaid assessments. Such lien shall be prior and superior to all other liens, except the lien for state, county and municipal taxes and public improvement assessments and reassessments which may have priority thereover, *provided, however*, that unmatured installments, interest and penalties shall not be deemed to be within the terms of any general warranty of title.

(b) Whenever any assessment heretofore issued or which may be hereafter issued is or shall be void or unenforceable, for any cause, or if bonds shall have been, or shall be, issued hereunder to represent or be secured by any assessments and such issuance shall not have been or shall not be effective through the curative provisions in relation thereto under said street work act or under this act to make them valid and enforceable, then, in any of such events a reassessment therefor may be issued. Such reassessment shall be issued upon the demand of the owner or holder of bonds aggregating one-third of the principal amount outstanding and shall be issued and made in the manner and form provided by said street work act. When so issued the reassessment made shall stand and constitute a trust fund for the redemption and payment of the original bonds so issued: *provided*, that the city council may call in the original issue of bonds outstanding and issue new bonds upon the security of the reassessment in lieu thereof. The city council may determine that new serial bonds shall be issued upon the security of such reassessment in which event it shall so declare in the notice of hearing upon such reassessment and set forth therein the description of said bonds as provided for in section 4 hereof. In such event upon confirmation of the reassessment said council may issue said bonds after notice by the clerk as provided in section 5 thereof. Upon calling by the city council of the original issue of bonds outstanding, the council may direct the city treasurer to, and the treasurer shall thereupon, advance the maturity of said bonds outstanding bearing interest in the manner provided in section 9 hereof, notwithstanding that there may not be surplus monies in the redemption fund with which to pay same. After such issuance of said new bonds and upon surrendering of the bonds outstanding, new bonds shall be issued to the holders of the original bonds in the proportion that the total balance of reassessment unpaid with interest thereon as provided in said street work act bears to the total amount of the principal and interest unpaid on such original bonds outstanding as of the date of such new bonds, and to the respective holders of such original bonds outstanding in the proportion that the amount of the principal and interest unpaid on the bonds of such respective holders thereof bears to the total amount of principal of the new bonds issued as of the date of such new bonds.

(c) In the event of nonpayment of any assessment or reassessment or installment thereof, or of any interest thereon, and as a cumulative remedy, the same when due as hereinafter provided, may by order of the council be collected by suit brought to foreclose the lien thereof in the same manner as provided in said street work act for the foreclosure of other assessments by action in a superior court, and with like costs, attorneys' fees and other relief. Thereupon the tax collector shall be credited upon the assessment roll then in his hands with the amount charged against him on account of such assessments or reassessments order to suit and be relieved of further duty in regard thereto.

(d) Such action shall be brought in the name of the city. The complaint may be brief and include substantially only the following allegations with reference to the assessments sought to be collected: that on a date stated the council passed its resolution ordering certain work to be done, without describing the same; that work was done thereunder; that an assessment and warrant to pay for the cost thereof was duly given and made; that same was returned on a stated date; that certain property (describing it) was therein assessed a stated amount; that bonds upon the security of such assessment was duly issued giving the date of said bonds their interest rate and the number of years the last installment of same were to run and that same were duly issued under this act, but it shall be unnecessary to state the amount, number, denomination or other term thereof; that on a date stated a certain sum came due against said property on said assessment and had not been paid and that the council had directed the action to foreclose. In such action the plaintiff upon recovering judgment shall be entitled to a reasonable counsel fee to be allowed by the court and taxed as costs."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 149.—An act to amend sections 2, 3, 4, 9, 11, 13, 16 and 17 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title to the bill, insert a comma after the word "sixteen" and strike out the word "and" and insert after the word "seventeen" the words "and eighteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the period, all of lines 2 to 18, both inclusive, and all of pages 2, 3, 4 and 5, and insert in lieu thereof the following:

"Section two of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 2. Whenever in the opinion of the city council the public interest or convenience may require, it is hereby authorized and empowered to order the whole or any portion or portions, either in length or in width, of any one or more of the streets, avenues, lanes, alleys, courts, places, public ways of any such city, or property, or rights of way owned by any city, to be improved by or to have constructed therein either singly or in any combination thereof, any of the following, namely:

(a) The grading or regrading, the paving or repaving, the planking or replanking, the macadamizing or remacadamizing, the graveling or regraveling, the oiling or reoilng, thereof.

(b) The construction or reconstruction of sidewalks, crosswalks, steps, parks and parkways, culverts, bridges, curbs, gutters, tunnels, subways or viaducts;

(c) Sanitary sewers or instrumentalities of sanitation, together with the necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, tunnels, channels or other appurtenances.

(d) Drains, tunnels, sewers, conduits, culverts and channels for drainage purposes; with necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, channels and appurtenances.

(e) Poles, posts, wires, pipes, conduits, tunnels, lamps and other suitable or necessary appliances for the purpose of lighting said streets, avenues, lanes, alleys, courts, places or public ways of any such city or property or rights of way owned by any such city.

(f) Pipes, hydrants and appliances for fire protection.

(g) Breakwaters, levees, bulkheads and walls of rock or other material to protect the streets, avenues, lanes, alleys, courts, places, public ways and other property in any such city, from overflow by water.

(h) Wells, pumps, dams, reservoirs, storage tanks, channels, tunnels, conduits, pipes, hydrants, meters or other appurtenances for supplying or distributing a domestic water supply.

(i) Retaining walls, embankments and other structures necessary or suitable in connection with any of the work mentioned in this section.

(j) All other work which may be deemed necessary to improve the whole or any portion of such streets, avenues, lanes, alleys, courts, places, public ways or property or rights of way owned by such city.

(k) All other work auxiliary to any of the above, which may be required to carry out the same.

Sec. 2. Section three of the said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 3. Before ordering any work done or improvement made which is authorized by this act, the city council shall pass a resolution of intention to do so, referring to the street by its lawful or official name, or the name by which it is commonly known: when the work is not upon a public street or public way, then by briefly describing the property or right-of-way on which same is to be constructed, and briefly describing the work. The said resolution of intention shall be sufficient if it states in general terms the class or kinds of work contemplated such as grading, paving, sewerage or other work or improvements, and gives in general the location of the proposed improvement and refers to plans, profiles, detailed drawings and specifications or such of them as may be suitable or proper for the full and detailed description of the said proposed work or improvement. Said resolution shall contain also a notice of the day, hour and place when and where any and all persons having any objections to the proposed work or improvement may appear before the legislative body and show cause why said proposed improvement should not be carried out in accordance with said resolution: said time shall not be less than fifteen nor more than forty days from the date of the passage of said resolution. The city clerk shall cause said resolution of intention to be published twice in one or more daily newspapers published and circulated in said city: provided if there be no daily newspaper, then the publication shall be made in one or more newspapers published and circulated therein less than six days a week, and said publication shall be had twice therein. If no newspaper be published in said city, then the publication shall be made twice in some newspaper published in the county in which said city is located. The city council may include in one proceeding, under on resolution of intention and in one contract, any of the different kinds of work mentioned in this act on any number of streets, properties and rights of way or portions thereof, contiguous or otherwise, and it may except therefrom any of said work already done. The lots and portions of lots fronting upon said executed work already done shall not be included in the assessment for the class of work from which the exception is made.

The grade to which any work shall be done or improvement made shall be such as may be shown on the plans or profiles therefor or it may be done on such a grade as may have been formally established by the city council. If any official grade has already been adopted or established for any of the streets, avenues, or other places or property, proposed to be improved, it shall be lawful for the resolution of intention to provide that said work shall be done to new grades or grades different from those so established or adopted, and shall refer to plans, profiles or specifications for the description of the grade at which the work is to be done. Any property owner whose property is to be assessed to pay the costs and expenses of the proposed improvement may at the time fixed in the resolution of intention for hearing of objections to the proposed work and improvement, appear before the city council and make objection to the proposed grade or proposed modification of grade. A failure to make objection at such time shall be deemed to be a waiver of all objections to the proposed grade or proposed change or modification of grade and shall operate as a bar to any claim for damages or any subsequent action looking to the prevention of the work or the recovery of damages on account of the performance of the work to such grade or changed grade. The provisions of this section relative to grades are alternative and shall not repeal other provisions of this act or other statutes relative to change of grade.

Sec. 3. Section four of said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 4. Whenever the contemplated work or improvement, in the opinion of the city council, is of more than local or ordinary public benefit, or whenever, accord-

ing to estimate to be furnished by the city engineer, the total estimated costs and expenses thereof would exceed one-half the total assessed value of the lots and lands assessed, if assessed upon the lots or land fronting upon said proposed work or improvement, according to the valuation fixed by the last assessment roll whereon it was assessed for taxes for municipal purposes, and allowing a reasonable depth from such frontage for lots or lands assessed in bulk, the city council may make the expense of such work or improvement chargeable upon a district, which the said city council shall, in its resolution of intention, declare to be the district benefited by said work or improvement, and to be assessed to pay the cost and expense thereof. Such district may be described by stating the exterior boundaries thereof, or by giving a description thereof according to any official or recorded map or maps or by referring to a plat or map which shall be on file in the office of the city clerk or city engineer at the time of passing the resolution of intention, which shall indicate by a boundary line the extent of the territory included in the proposed district, which said plat or map shall govern for all details as to the extent of the said assessment district. The said district need not be described in any of the notices or resolutions provided for herein, other than the resolution of intention.

SEC. 4. Section nine of said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 9. In all resolutions, notices, orders and determinations, subsequent to the resolution of intention it shall not be necessary to describe the assessment district, and in all of the same, subsequent to the resolution of intention and the notice of improvement, it shall be sufficient to refer to the resolution of intention for a description of the work or improvement, and the assessment district.

SEC. 5. Section eleven of said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 11. Notice of such award of contract shall be published by the city clerk twice in a daily, semi-weekly, or weekly newspaper published and circulated in said city and if no newspaper be published in said city, then in some newspaper published in the county and circulated in said city.

SEC. 6. Section thirteen of said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 13. But if such original bidder neglects, fails or refuses, for twenty-five days after the first publication of the notice of award, to enter into the contract, then the city council, without further proceedings, shall again advertise for and receive proposals or bids, as in the first instance, and award the contract for said work to the then lowest regular bidder. Should no bids be received in response to this second call for proposals, the council may again advertise for and receive bids under the same proceedings at any time within six months from the time set for the first reception of bids, and let the contract to the then lowest bidder, and such delay shall in no way effect the validity of any of the proceedings or assessments levied thereunder. The bids of all persons and the election of all owners, as aforesaid, who have failed to enter into the contract, as herein provided, shall be rejected in any bidding or election subsequent to the first for the same work.

SEC. 7. Section sixteen of said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 16. At any time within ten days from the date of the first publication of the notice of award of contract, any owner of, or other persons having any interest in any lot or land liable to assessment, who claims that any of the previous acts or proceedings relating to said improvement are irregular, defective, erroneous or faulty, may file with the clerk of the city council a written notice specifying in what respect said acts and proceedings are irregular, defective, erroneous or faulty. Said notice shall state that it is made in pursuance of this section. All objections to any act or proceeding occurring prior to the time within which such objections are permitted to be filed in relation to said improvement, not made in writing and in the manner and at the time aforesaid, shall be waived, provided the resolution of intention to do the work has been actually published, as provided in this act.

SEC. 8. Section seventeen of said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 17. Before being entitled to a contract, the bidder to whom the award was made, or the owners who have elected to take the contract, must advance to the superintendent of streets, for payment by him, the cost of publication of the notices, resolutions, orders and matters required under the proceedings prescribed in this act, and of such other notices as may be deemed requisite by the city council, together with all other incidental expenses incurred up to the time of entering into the contract. And in case the work is abandoned by the city, the incidental expenses incurred previous to such abandonment shall be paid out of the city treasury.

SEC. 9. Section eighteen of said act approved April 7, 1911, as amended, is hereby amended to read as follows:

Sec. 18. The superintendent of streets is hereby authorized in his official capacity, to make all written contracts, and to receive all bonds authorized by this act, and to do any other act, either express or implied, that pertains to the street department under this act; and he shall fix the time for the commencement, which shall not be more than fifteen days from the date of the contract, and for the completion of the work under all contracts entered into by him, which work shall be prosecuted with dili-

gence from day to day thereafter to completion, and he may extend the time so fixed from time to time, under the direction of the city council. All applications for such extensions of time, if in writing, must be filed in the office of the city clerk before the expiration of the original time fixed in the contract, or of the time granted by extension, as the case may be. An extension of time may be granted by the council after the expiration of the time originally fixed in the contract or extended as herein provided, and the extension so granted shall be deemed to commence and be effective from the date of such expiration. Any such extension of time shall not release the sureties upon any bond required under this act. The work must, in all cases, be done under the direction and to the satisfaction of the superintendent of streets and the materials used shall comply with the specifications and be to the satisfaction of said superintendent of streets and all contracts made therefor must contain a provision to that effect; *provided, however*, that if the city council by resolution adopted within ten days after the passage of the resolution ordering the work so directs the work shall be done under the direction of the city engineer and the materials used shall comply with the specifications and be to the satisfaction of said engineer, instead of said superintendent of streets, and in such case the contract shall contain a provision to that effect; *and provided further* that the city council may by resolution adopted within said ten days provide and direct that the assessment thereafter to be made in the proceeding shall be made and signed by the city engineer instead of by the superintendent of streets. Said contract shall contain also express notice that, in no case, except where it is otherwise provided by law or the city charter will the city, or any officer thereof, be liable for any portion of the expense, nor for any delinquency of persons or property assessed. The city council may, by ordinance, prescribe general rules directing the superintendent of streets (or the city engineer, in the cases herein provided) and the contractor as to the materials to be used, and the mode of executing the work, under all contracts thereafter made. The assessment and apportionment of the expenses of all such work or improvement shall be made by the superintendent of streets in the mode provided by this act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 159—An act to amend sections 11 and 12¹ of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 1 after the period, all of lines 2 to 24, both inclusive, and all of pages 2, 3 and 4, and insert in lieu thereof the following:

"Section eleven of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities", approved March 18, 1885, as amended, is hereby amended to read as follows:

Sec. 11. The owners, whether named in the assessment or not, the contractor or his assigns, and all other persons directly interested in any work provided for in this act, or in the assessment, feeling aggrieved by any act or determination of the superintendent of streets in relation thereto, or who claim that the work has not been performed according to the contract in a good and substantial manner, or having or making any objection to the correctness or legality of the assessment or other act, determination, or proceedings of the superintendent of streets, shall, within thirty days after the date of the warrant, appeal to the city council, as provided in this section, by briefly stating their objections in writing and filing the same with the clerk of the said city council. Notice of the time and place of the hearing, briefly referring to the work contracted to be done, or other subject of appeal, and to the acts, determinations or proceedings objected to or complained of, shall be published for five days. Upon such appeal, the said city council may remedy and correct any error or informality in the proceedings, and revise and correct any of the acts or determinations of the superintendent of streets relative to said work, may confirm, amend, set aside, alter, modify or correct the assessment in such manner as to them shall seem just, and require the work to be completed according to the directions of the city council, and may instruct and direct the superintendent of streets to correct the warrant, assessment or diagram in any particular, or to make and issue a new warrant, assessment and diagram, to conform to the decisions of said city council in relation thereto, at their option. All

the decisions and determinations of said city council upon notice and hearing as aforesaid, shall be final and conclusive upon all persons entitled to appeal under the provisions of this section, as to all errors, incommensures, and irregularities, which said city council might have remedied and avoided during the progress of the proceedings or which it can at that time remedy. No assessment, warrant, diagram or affidavit of demand and nonpayment after the issue of the same and no proceedings prior to the assessment shall be held invalid by any court for any error, informality or other defect in the same where the resolution of intention of the city council to order the work to be done, for which the assessment is made, has been actually published in any newspaper of said city for the length of time prescribed by law.

Sec. 2. Section twelve and one-quarter of said act approved March 18, 1885, as amended, is hereby amended to read as follows:

Sec. 12½. Whenever any assessment heretofore issued or which may be hereafter issued is or shall be void, or unenforceable, for any cause, or if bonds shall have been, or shall be, issued to represent any assessments and such issuance shall not have been, or shall not be effective through the curative provisions thereof to make them valid and enforceable, then, in any of such events a reassessment therefor may be issued. The true intent and meaning of this section is to make the cost and expense of work or improvement made through an attempted compliance with this act, payable by the real estate benefited by such work or improvement by making a reassessment therefor.

Such power of reassessing embraces both a full and a partial reassessment, and is not exhausted by a single attempted exercise thereof.

A reassessment shall be ordered under any one of three circumstances:

First—Where the owner or holder of any assessments, or of bonds issued under the provisions of the act entitled "An act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and also for the payment of such bonds", approved February 27, 1893, to represent assessments requests the legislative body of the city in which the assessment has been or shall be issued to order a reassessment. In such event if said legislative body be of the opinion that the assessments or bonds in question are not enforceable, it shall order the making and issuing of a reassessment covering only the assessments owned or held by the petitioner, or the assessments represented by the bonds owned or held by such petitioner.

Second—Whenever any court of competent jurisdiction in any suit to foreclose the lien of any assessment or to enforce the obligation of any bond issued to represent any assessments issued under this act, has for any reason held such lien unenforceable, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

Third—Whenever any court of competent jurisdiction in any suit to set aside the lien of any assessment or of any bond representing any assessment, or in any suit to quiet title against the lien of any such assessment, or bond, shall in its judgment decree such assessments or bonds to be void, or unenforceable, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

The manner of making, issuing and enforcing the reassessments shall be as follows:

The superintendent of streets shall, upon entering of a decree of court directing a reassessment or upon the making of an order by the legislative body of the city directing a reassessment, proceed to make a reassessment, in the following manner:

If the reassessment be a partial one only, then it shall not be necessary for the diagram to show any other lots than the ones covered by such partial reassessment. If it be a full reassessment, however, then it shall be upon the lots fronting on said work if the original assessment was one made on the front foot plan; if the original assessment was made against a district, then the superintendent of streets shall prepare and file with the reassessment a diagram showing the lots, pieces or parcels of land deemed by him to have been benefited by the work or improvement. The reassessment shall assess upon and against each of the lots, pieces, or parcels of land contained therein an amount arrived at as follows: The benefits derived, or to be derived by each of the said lots, pieces or parcels of land from the work or improvement estimated as of the date of the original assessment shall first be listed. Then there shall be added thereto interest thereon from thirty days after the date of recording the original assessment at the rate of seven per cent (7%) per annum, and the total sum shall constitute and be the amount of the proposed several assessments in such reassessment. The total of such reassessment, however, exclusive of interest, shall not exceed the cost of the work or improvement. Such assessment need not be in any prescribed form, but shall refer to the original assessment, give the date of the original assessment and state that it is made pursuant to the order of the legislative body of the city or decree of the court, as the case may be, and shall be accompanied by a diagram showing the lots to be reassessed and their relation to the work. It shall then be presented to the legislative body, which shall fix a time for hearing before it. Such time must be at least twenty days after the reassessment is so presented. The city clerk shall then advertise the time of such hearing before the legislative body by publishing a notice in the newspaper in which the notice of award of contract for the improvement for which the assessment was made,

was published unless the legislative body directs publication in some other newspaper. If the reassessment is to be against certain specified lots only, this fact, together with an enumeration of the lots shall be stated in the notice. If the reassessment is to be against the lots fronting upon the improvement, this fact shall be stated in the notice. If the reassessment is to be against the property in a district then this fact shall be stated in the notice and a description of the district shall be set forth and the assessment diagram referred to for all particulars. Such notice shall be published for five insertions, if the paper be a daily, or for two insertions if the paper be published less frequently. At the time fixed for said hearing, or at such time or times to which the same may thereafter be adjourned the legislative body shall consider the objections to said reassessment and in its discretion informally direct the revision, correction or modification of such reassessment in such manner as is most equitable to apportion to each lot, piece or parcel of land thereby benefited the amount of the actual benefits derived from said improvement. When such reassessment shall have been revised, or corrected or modified so as to comply with the judgment of said legislative body, then it shall pass a resolution confirming the reassessment. The street superintendent shall thereupon record the reassessment with a certificate at the end thereof by the city clerk, that it is the reassessment approved by the legislative body of the city. He shall also note opposite the several assessments in the original assessment that have been displaced by the reassessment the fact that the reassessment has been made, giving its date, and shall credit upon such reassessment all payments theretofore made upon the original assessment, or upon the bonds issued to represent the same, together with interest on such payment at the rate of seven per cent per annum from and after the date of such payments. Such reassessments shall be collectible and payable in the same manner as an original assessment and shall be enforceable by suit in the same manner provided in this act for enforcing an original assessment, and shall have the same weight in evidence. In the event that bonds issued under the original assessment they shall also issue upon the reassessment for such sum as may be reassessed against the lot, piece or parcel of land covered thereby. When the reassessment is recorded the original assessment shall be cancelled by the street superintendent so far as it affects the particular assessments involved. New bonds shall not be issued until the original bonds are delivered up to the city treasurer, who shall cancel the same. The lien of such reassessment shall hold its relative rank as to other special assessment liens as of the date of the original assessment."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27 and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed amended bill add at the end of line 15 after the word "superintendent" the following: "or the city engineer, if the power and duty to do so has been delegated to him as hereinbefore provided".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4 of the printed amended bill add the following sentence at line 12 following "the record of the assessment": "Upon such filing the warrant shall be redelivered to the contractor, or his assigns."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 31, of the printed amended bill, strike out the words "each of" and insert in lieu thereof the following "process may be had in".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 7, line 35, of the printed amended bill, strike out the words "then relative" and insert in lieu thereof the words "their relation".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7, line 44, of the printed amended bill, strike out the word "assessment" and insert in lieu thereof the word "reassessment".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 48, of the printed amended bill, strike out the words "or of the district".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 49, of the amended printed bill, strike out the word "full" and insert in lieu thereof the word "for".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 25, of the printed amended bill, strike out the word "issue" and insert in lieu thereof the word "issued".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 8, line 30, of the printed amended bill, insert after the words "so far as" the word "it".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 200—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the period and commencing with the word "an" strike out all of the printed matter of line 4 and all of line 5, and insert in lieu thereof the following:

"An admission fee and rate of tuition fixed by the regents of the University of California must be required of each nonresident student. The regents shall cause to be computed the actual cost to the university of maintaining one student in each of the respective courses of the several colleges for the period of one year. Each non-resident student shall be required to pay as the rate of tuition the sum provided for by the above computation for the particular course such student is following; *provided*, that the maximum sum to be paid shall not exceed five hundred dollars; *and provided, further*, that such sums may be remitted in whole or in part in the case of graduate students in other than professional colleges and schools. The term "non-resident student" as used in this section shall be construed to mean any person who has not been a bona fide resident of the State of California for more than one year immediately preceding the opening day of a semester during which he proposes to attend the university. The residence of each student shall be determined in accordance with the rules for determining residence prescribed by the provisions of section

fifty-two of this code; *provided, however*, that every alien student who has not made a valid declaration of intention to become a citizen of the United States as provided by the laws thereof, prior to the opening day of a semester during which he proposes to attend the university, shall be deemed to be a nonresident student; *and further provided*, that nothing herein or in section fifty-two of this code contained shall be construed to prevent the regents from causing to be classified as a resident student any citizen of the United States who has attained his majority according to the laws of the State of California, and who for a period of one year has been entirely self-supporting and actually present in the State of California, with the intention of acquiring a residence therein, or any minor child, a citizen of the United States, who does not receive and has not for a period of more than one year immediately preceding his entrance into the university received, directly or indirectly, any support or financial assistance from his father, *providing* such minor lives with his mother, who is and has been continuously for a period of more than one year actually present in the State of California with the intention of making her permanent home therein."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 91—An act to add a new section to be numbered 57*a* to an act entitled "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled "The California Water Storage District Act," approved June 3, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the first line of the title, of the printed bill, strike out "fifty-seven" and insert in lieu thereof "nineteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "fifty-seven" and insert in lieu thereof "nineteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out all of lines 5 to 18, both inclusive; also strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, and 10, and insert in lieu thereof the following:

"Whenever all the lands within any irrigation district or districts organized under the laws of the State of California shall be included within the boundaries of any water storage district organized under the provisions of this act, the state engineer shall, immediately upon appointing the commissioners provided for in section 19 of this act, notify the board or boards of directors of all such irrigation districts, in writing, of such appointment. All such notices shall be transmitted by the state engineer to the board of directors of each such irrigation district by registered mail addressed to each such board of directors at the place where its office is located. Said state engineer shall demand from the United States post office officials a return receipt for each such notice mailed and said return receipt when received by him shall be filed by said state engineer in his records and the date shown thereon as the date of delivery of said notice shall be conclusive evidence of the date on which said notice was received by the board of directors of any such irrigation district.

Said state engineer shall also cause to be published once in some newspaper or newspapers published in the county in which the board of directors of such irrigation

district has its office, a substantial copy of said notice. At any time within thirty days after said notice is so published, the board of directors of any such irrigation district may, by filing a notice in writing in the office of the board of directors of any such water storage district, or the electors within any such irrigation district may, by filing in the office of the board of directors of said water storage district, a petition signed by 15 per cent of the electors within such irrigation district, qualified to vote at a general election held by said irrigation district, request the board of directors of such water storage district to assess upon the lands within said irrigation district as a unit, the benefits that will accrue to the lands within such irrigation district by reason of the construction of the works and completion of the project of said water storage district. Upon said notice or said petition being so filed, it shall be the duty of the board of directors of said water storage district to instruct said commissioners immediately, in writing, to assess to the lands within said irrigation district as a unit the benefits that will accrue to all the lands within said irrigation district by reason of the construction of the works and completion of the project. Said commissioners shall thereupon proceed to determine the benefits that will accrue to all the lands within such irrigation district from the construction of the works and completion of the project. The rolls prepared and certified to the state engineer shall, as to the lands within such irrigation district, contain the following statements:

(1) The name of the irrigation district within the boundaries of which said lands are included; and

(2) The total amount of the assessment upon all the lands within said irrigation district, as a unit.

The written report of the commissioners accompanying the assessment rolls shall determine the matters therein specified for the lands within said district as a unit only, and shall make no distinction or differentiation between the rights of or benefits to be received by individual owners or tracts of land within said irrigation district, but all such rights and benefits shall be considered as belonging to and accruing to the lands within said irrigation district as a unit. A certified copy of any portion of said rolls which contains the assessment upon the lands within said irrigation district shall be delivered by said commissioners to the board of directors of said irrigation district at the office of said board. In determining the benefits to the lands within said irrigation district and the amount of the assessment upon said lands, said commissioners shall proceed in the same manner as if all the lands in said irrigation district were held in separate ownership in one tract and were so assessed under section 19 of this act.

At any time within thirty days after said certified copy of said portion of said rolls has been delivered to the board of directors of said irrigation district, said board of directors may file with the state engineer its objections, in writing, to said assessment. Said objections shall be verified and shall set forth the grounds thereof. The adjustment board provided for in section 19 of this act shall hear such objections in the manner provided in said section 19; *provided*, that no evidence shall be received nor determination made at said hearing or hearings of any assessment to be levied on any particular landowner in said irrigation district, nor shall the rights to stored surplus waters or benefits to be received by any such owner be inquired into except as such evidence or inquiry shall be necessary to a determination of the proper assessment on the lands within said district as a unit.

When the two copies of the assessment roll as finally fixed and approved by the adjustment board are received by the board of directors of the water storage district, said board shall immediately transmit to each board of directors of any irrigation district upon the lands within which district an assessment is made in said rolls as provided in this section, a certified copy of any portion of said rolls which contains the assessment upon the lands within said irrigation district, as a unit.

After said certified copy of said portion of said assessment roll has been delivered to the board of directors of said irrigation district, said board shall proceed to raise the necessary money to pay such assessment. Said money may be raised by assessment, bond issue or any other method by which said irrigation district is authorized by the law under which it is organized to raise money for the construction or completion of works or the acquisition of property, or for the purposes specified in section 15 of the California Irrigation District Act, as amended, or any thereof, or for the purposes specified in any other provision of any law under which said irrigation district is or may hereafter be authorized to proceed, and it is hereby declared to be the intention of the Legislature to give to all such irrigation districts an opportunity to proceed in the manner provided by the law under which they are organized to secure the funds necessary to pay said assessment; *provided, however*, that it shall not be necessary for said board of directors to cause any surveys, examinations, drawings or plans to be made nor to estimate or determine that any amount of money is necessary to be raised, but the amount of said assessment shall be conclusively deemed to be the amount of money necessary to be raised; *provided, further*, that said board of directors of said irrigation district shall have the power to include within the amount of money to be raised such further sum as said board shall determine to be necessary to pay the expenses of raising the money to pay said assessment; and, *provided, further*, that it shall not be necessary in any case that a petition shall be signed by the landowners or electors within the irrigation district as a condition to the submission by the

board of directors of said district to the electors thereof of the question whether bonds shall be issued or an assessment levied to pay the assessment levied by said water storage district.

If, within six months after such certified copy of said portion of said assessment roll has been delivered to the board of directors of any such irrigation district, the total amount of the assessment upon all the lands within said irrigation district, as a unit, has been deposited by said irrigation district, with the county treasurer of the county in which said irrigation district has its office, to the credit of said water storage district, no further payments on account of said assessment shall be required of said irrigation district or the lands within said irrigation district and said assessment shall be deemed paid in full and no bonds of said water storage district which may be issued on said assessment shall be a lien upon any lands within said irrigation district, nor shall said water storage district levy any assessment upon the lands within said irrigation district to pay the principal or interest of any such bonds, but said water storage district may levy supplemental, supplementary, special or additional assessments on the lands within said irrigation district, as hereinafter provided, when such assessments are levied on all the other lands within said water storage district as provided in this act.

If, within six months after such certified copy of said portion of said assessment roll has been delivered to the board of directors of any such irrigation district, such irrigation district has not deposited with the county treasurer of the county in which the board of directors of such irrigation district has its office, to the credit of said water storage district, the entire amount of said assessment on the lands within such irrigation district, as a unit, then the state engineer shall instruct the commissioners provided for in section 19 of this act, to assess the lands within the boundaries of said irrigation district in the manner provided in section 19 of this act for the assessments of lands within the water storage district, and in that event this section of this act shall have no application to the levying, equalizing, payment or effect of said assessment, but said assessment shall be levied, equalized and paid and its effect shall be the same as on all other lands within said water storage district; *provided, however*, that the board of directors of said water storage district may, in its discretion, grant to any such irrigation district much additional time in which to pay said assessment as said board of directors may deem reasonable.

The method provided by this section for the assessment of the lands within irrigation districts, as a unit, is an alternative method to be employed at the option of the board of directors of or the electors within any irrigation district within any water storage district whenever said board or said electors shall request that the assessment be levied as provided in this section, and this section shall not be construed to prevent the levy and equalization of an assessment upon the lands in an irrigation district in the same manner that assessments are levied and equalized on other lands in a water storage district if such irrigation district has not complied with all the requirements and conditions of this section.

The provisions of this section shall not apply to assessments levied under section 16 of this act, but shall apply to all other assessments levied under the provisions of this act. Whenever the board of directors of a water storage district intends to levy a supplemental, supplementary, special or additional assessment, which, under the provisions of this act, may be levied by the board of directors of said water storage district without securing the authorization of the voters within said water storage district at an election held for that purpose, the board of directors of said water storage district shall notify the board of directors of all such irrigation districts of its intention to levy such assessment and the board of directors of any such irrigation district may elect to pay such assessment on the lands within the irrigation district, as a unit, by including a sufficient amount in the next assessment levied and collected by such board of directors under the provisions of the California Irrigation District Act, *provided, however*, that the notice of intention of the board of directors of the water storage district to levy such assessment need not be published.

Whenever, subsequent to the levy of the first assessment, the voters within a water storage district, at an election, have voted in favor of acquiring property or constructing works, or whenever the voters within a water storage district, at an election, have authorized the board of directors of said water storage district to levy any assessment which, under the provisions of this act, may not be levied by the board of directors of a water storage district without securing the authorization of the voters within said water storage district, the board of directors of said water storage district shall so notify, in writing, the board of directors of each such irrigation district and further notify them that an assessment will be levied on the lands within said water storage district. Such notice shall also be published by the board of directors of said water storage district in the manner that notice is hereinbefore in this section required to be published of the appointment of the commissioners provided for in section 19 of this act, and the board of directors or electors of all such irrigation districts may elect to pay the assessment on the lands within such irrigation district, as a unit, in the same manner that they could elect to pay the first assessment hereinbefore in this section provided, and they shall have the same time after said notice is published as is provided for making such election and paying said first assessment after notice of the appointment of the commissioners provided for in section 19 of this act is published and the board of directors of any such irrigation

district may raise the money to pay such assessment in the same manner that it is authorized to raise money to pay said first assessment.

Whenever the board of directors of the electors within any such irrigation district have requested the board of directors of any such water storage district to levy that part of any assessment which may be levied by the water storage district on the lands within such irrigation district, on said lands as a unit, as in this section provided, no bonds of said water storage district shall be issued on said assessment of said water storage district or any part thereof, nor shall any proceedings to issue bonds on said assessment of said water storage district or any part thereof be taken by said water storage district until each such irrigation district has either paid the amount of said assessment on the lands within said irrigation district in full or has failed to pay said assessment within the time in this section provided and the lands within said irrigation district have been assessed.

Every owner of land in any irrigation district within the boundaries of any water storage district may sign all petitions and vote at all elections in the same manner as any other owner of land in said water storage district and shall not be disqualified from signing any petition or voting at any election because of the fact that the land within the irrigation district within which the land of said owner is situated has been assessed as a unit as hereinbefore in this section provided, and that no direct assessment has been levied by said water storage district on the land of said owner; *provided, however*, that if the land within any irrigation district shall have been assessed as a unit as hereinbefore in this section provided, and shall have paid the entire amount of said assessment on said land, no owner of land shall, after the time of such payment sign any petition requesting that an election be held to determine whether bonds shall be issued on such assessment of said water storage district, nor in such case shall any such owner of land vote at any such election."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "for" insert the following words, "local and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 348—An act validating and confirming the organization of irrigation districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 580—An act regulating the doing of public work, including day's labor or force account work, by public and quasi public bodies, boards and officers; prescribing the procedure therefor and providing for the preparation, filing and publication of reports and cost data relative thereto by said bodies, boards and officers; providing penalties for violation of this act; and repealing all acts and parts of acts inconsistent therewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the word "act" in the first line of the title of the printed bill and insert in lieu thereof the following: "relating to the doing of public work by day's labor or force account, except emergency and maintenance work and

work costing less than ten thousand dollars; requiring the state highway engineer, state engineer, the state architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the state directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all after the enacting clause in the printed bill and insert in lieu thereof the following:

"SECTION 1. It shall be the duty of the state highway engineer, the state engineer, the state architect and of every county engineer, county surveyor, city and county engineer, county highway engineer, road commissioner, city engineer, commissioner of public works, superintendent of streets, harbor engineer, flood control engineer, and the engineer of any reclamation, irrigation or other district, political subdivision, or agency of the state directing, supervising or superintending the construction, or in charge of the engineering work for or in connection with the construction, of any bridge, road, street, highway, ditch, canal, dam, tunnel, excavation, building or structure within the state by day's labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars, to keep an accurate account of the cost of such work; to prepare and file in his office, prior to the commencement of the work, full, complete and accurate plans and specifications, and an estimate of the cost thereof, except where other and adequate provision is made by law requiring the preparation and filing of such plans, specifications and estimates of cost by some other officer or in some other office; and, upon completion of any such work, to prepare and file in the office of the county clerk of the county in which the work is performed a certificate in writing verified by him in the same manner as complaints in civil actions, setting forth the estimate of cost, names of bidders with prices bid, changes in adopted or approved plans and specifications, that the work performed has or has not been done in accordance with such plans and specifications, a list of any publicly owned equipment used in the work, and an itemized statement of the actual cost of all labor, materials, rentals, repairs, compensation and other insurance, transportation of labor, equipment and materials, engineering or architectural services including the services of public employees in connection with the work, and any and all other cost entering into the work performed, including a reasonable amount for depreciation of publicly owned equipment used in the work and the cost of repairs thereon while so used.

SEC. 2. Such plans, specifications and certificates shall be open to inspection and examination as a public record."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the semicolon following the word "to-wit", insert the following:

- "1. The county clerk, three thousand six hundred dollars per annum.
2. The sheriff, four thousand five hundred dollars per annum. The sheriff shall also be allowed his actual, reasonable and necessary expenses in all civil and criminal cases.
3. The recorder, three thousand six hundred dollars per annum.
4. The auditor, three thousand six hundred dollars per annum.
5. The treasurer, two thousand six hundred dollars per annum.
6. The tax collector, one thousand nine hundred dollars per annum.
7. The assessor, four thousand dollars per annum. The assessor shall receive his actual, reasonable and necessary expenses while engaged in his official duties in the field.

8. The district attorney, four thousand dollars per annum: *provided*, that in counties of this class the district attorney in addition to the salary herein fixed, shall be allowed his traveling and other personal expenses incurred in criminal cases arising in the county and in civil actions and proceedings in which the county is interested, and all other expenses necessarily incurred by him in the detection of crime and the prosecution of criminal cases, and in civil actions and proceedings and all other matters in which the county is interested, all of which said charges and expenses incurred by him shall be a legal charge against the county.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, three thousand three hundred dollars per annum: *provided, however*, that in counties of this class the superintendent of schools in addition to the salary herein fixed shall be allowed ten dollars per school district for traveling expenses where he shall have visited each school of said district in the county during any one calendar year.

12. The surveyor, three thousand six hundred dollars per annum: and actual, reasonable and necessary expenses when engaged in the field, or in the office in the discharge of his official duties in the county.

13. Justices of the peace shall receive the following salaries for all services rendered by them, payable in the same manner as county officers are paid, viz: In townships having a population of twenty thousand or more, two hundred fifty dollars per month; in townships having a population of not less than five thousand nor more than twenty thousand, one hundred dollars per month; in townships having a population of not less than three thousand, nor more than five thousand, sixty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty-five dollars per month; in townships having a population of not less than one thousand four hundred nor more than two thousand, thirty-five dollars per month; in all townships having a population of less than one thousand four hundred, twenty-five dollars per month: *provided*, that for the purposes of this section the population of the several townships shall be ascertained by multiplying the number of registered voters at the last general election by three and one-half. The compensation herein fixed for justices of the peace shall be in full for all services rendered and all fees collected by them shall be paid into the county treasury as provided by law. In townships having a population of twenty thousand or more, the justice of the peace shall be allowed a clerk, which position is hereby created. Such clerk shall be appointed by the justice of the peace of said township, and shall hold office during the pleasure of said justice of the peace. Said clerk shall give a bond in the sum of three thousand dollars, with at least two sureties to be approved by a judge of the superior court of the county in which said township is situated, conditioned for the faithful discharge of the duties of the office; and he shall receive an annual salary of one thousand five hundred dollars. The justice's clerk shall keep a record of the proceedings of the said court, and shall issue all process ordered by the court, and shall collect and receive all fines and forfeitures in criminal cases and pay the same, to the authorities legally entitled to receive the same, at the time and in the manner provided by law. He shall prepare bonds, justify bail when the amount has been fixed by the court, and shall have authority to administer and certify oaths and take and certify affidavits in any action, suit or proceedings in said justice's court. The clerk shall be in attendance on the court in the courtroom of said justice's court for the dispatch of official business, daily, legal holidays excepted, from the hour of nine o'clock a.m. until five o'clock p.m. and during such reasonable times thereafter as may be necessary for the proper performance of his duties.

14. Constables shall receive the following salaries for all services rendered by them in criminal cases, payable monthly in the same manner as county officers are paid, viz: In townships having a population of five thousand or more one hundred dollars per month; in townships having a population of not less than three thousand nor more than five thousand, fifty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty-five dollars per month; in townships having a population of not less than one thousand four hundred, nor more than two thousand, thirty-five dollars per month; in all townships having a population of less than one thousand four hundred, twenty-five dollars per month. Constables in counties of this class shall also receive for their own use and benefit such fees as are now or may be hereafter allowed by law for mileage in criminal cases and shall also receive such fees as are now or may hereafter be allowed by law in civil cases. Such mileage in criminal cases is intended to cover the ordinary expenses of constables, and other than such mileage, they shall be allowed the following expenses and no other, to wit: In criminal, insane, inebriate and drug habitue cases, the actual, reasonable and necessary cost of transporting prisoners to and from the county jail; of supporting such prisoners while in their custody; of pursuing criminals when a felony has been committed within their township and no warrant has been issued, whether an arrest has been made or not; of transporting inebriates, drug habitues and insane persons from the justice's court to the place of detention and from the place of detention to the superior court, and from the superior court to the insane asylum, but no mileage shall be allowed for

such transportation to the place of detention, to the superior court, or to the insane asylum.

15. Each member of the board of supervisors, one thousand two hundred dollars per annum, and their necessary expenses when attending to the business of the county, other than the meetings of the board; and fifteen cents a mile in traveling to and from his residence to the county seat; *provided*, that not more than one mileage at any one term of the board shall be allowed.

16. The bonds of the clerk, sheriff, recorder, auditor, treasurer, tax collector, assessor, district attorney, coroner, public administrator, surveyor and superintendent of schools, justice of the peace, constable and clerk of the justice of the peace shall be executed with a reliable bond and security company, and the cost of said bond when duly approved, shall be a charge against the county, and payable out of the general fund.

17. The county clerk shall have one chief deputy at a salary of two thousand four hundred dollars per annum; three courtroom deputies at a salary of one thousand eight hundred dollars per annum each; three office deputies at a salary of one thousand five hundred dollars per annum each; one judgment clerk at a salary of one thousand five hundred dollars per annum; one deputy who shall act as clerk to the board of supervisors at a salary of one thousand eight hundred dollars per annum; one deputy who shall act as assistant clerk to the board of supervisors at a salary of one thousand five hundred dollars per annum; and a deputy or deputies not to exceed fifteen for the purpose of registering electors and performing all duties pertaining to elections who shall be paid not to exceed five dollars per diem each; also a deputy or deputies to register electors outside of the county seat who shall receive a compensation of ten cents for each elector registered and who shall receive no other compensation or expenses.

The county recorder one first assistant at a salary of two thousand one hundred dollars per annum; one second assistant at a salary of one thousand eight hundred dollars per annum; two comparing clerks and one index clerk at a salary of one thousand five hundred dollars per annum each; five deputies at a salary of one thousand five hundred dollars per annum each; the recorder may hire necessary assistants in cases of emergency and at a salary not to exceed five dollars per diem each, but the aggregate pay of such assistants for such work shall not exceed two thousand four hundred dollars in any one calendar year.

The treasurer, one chief deputy at a salary of two thousand seven hundred dollars per annum; one deputy at a salary of two thousand one hundred dollars per annum; one deputy at a salary of one thousand nine hundred twenty dollars per annum; two deputies at a salary of one thousand eight hundred dollars per annum each; one deputy who shall be employed in the capacity as a cashier and serve for a period of not to exceed six months in any one calendar year and shall receive therefor the sum of one hundred and fifty dollars per month; one deputy who shall be employed in the capacity of draftsman and who shall serve for a period not to exceed four months in any one calendar year and who shall receive therefor the sum of one hundred and fifty dollars per month; and such emergency deputy or deputies as shall be required and who shall receive for his or their services a sum not to exceed five dollars per diem each; *provided, however*, that the aggregate pay of such emergency deputy or deputies shall not exceed in any one calendar year the sum of four thousand dollars.

The county auditor one chief deputy at a salary of two thousand one hundred dollars per annum; one second deputy at a salary of one thousand six hundred twenty dollars per annum; one third deputy at a salary of one thousand five hundred dollars per annum; the auditor may hire necessary assistants for the purpose of extending taxes and in cases of emergency at a salary not to exceed five dollars per diem each; *provided* that the aggregate salaries of such assistants shall not exceed the sum of one thousand dollars in any one calendar year.

The district attorney an assistant district attorney at a salary of three thousand dollars per annum; two deputy district attorneys at a salary of two thousand one hundred dollars per annum each; one shorthand reporter at a salary of two thousand four hundred dollars per annum; one secretary at a salary of one thousand five hundred dollars per annum; two stenographers at a salary of one thousand two hundred dollars per annum each.

The superintendent of schools, one first deputy at a salary of one thousand eight hundred dollars per annum; one second deputy at a salary of one thousand five hundred dollars per annum; and an emergency deputy or deputies who shall be paid not to exceed five dollars per diem each; *provided*, that the aggregate pay of said emergency deputy or deputies shall not exceed four hundred dollars in any one calendar year.

The sheriff, an undersheriff who shall receive a salary of two thousand four hundred dollars per annum; a chief deputy who shall receive a salary of one thousand eight hundred dollars per annum; a stenographer and clerk who shall receive a salary of one thousand six hundred eighty dollars per annum; two deputy sheriffs for service in the field who shall receive a salary of one thousand six hundred eighty dollars per annum each; one deputy sheriff who shall be employed as superintendent of identification and who shall receive a salary of one thousand nine hundred twenty

dollars per annum; three bailiffs or courtroom deputies who shall receive a salary of one thousand six hundred twenty dollars per annum each; three jailers who shall receive a salary of one thousand six hundred twenty dollars per annum each; one motorboat deputy who shall receive a salary of one thousand six hundred eighty dollars per annum; one deputy sheriff for serving papers, and for emergencies who shall receive a salary of one thousand five hundred dollars per annum; one deputy sheriff for emergency and as a guard for the working prisoners who shall receive a salary of one thousand five hundred dollars per annum; two deputy sheriffs who shall be employed as traffic officers who shall receive one hundred forty-five dollars per month each and who shall each furnish, operate and maintain a suitable motorcycle or automobile for the use of which he shall receive such reasonable sums as may be authorized and allowed by the board of supervisors for miles actually traveled in such vehicle in the performance of his duties; *provided, however*, that the amounts allowed for the use of any such vehicle shall not exceed fifteen cents a mile, and that he shall keep and file with the board of supervisors a daily report of the particular road or roads and the exact portion thereof patrolled by him including the names of all parties arrested by him and the specific nature of any violation of the law and the approximate hour of arrests made.

The coroner, one deputy who shall be paid by the coroner out of his fees.

The county assessor shall have one chief deputy at a salary of two thousand four hundred dollars per annum; one draftsman at a salary of two thousand four hundred dollars per annum; one chief office deputy at a salary of two thousand one hundred dollars per annum; one office deputy at a salary of one thousand eight hundred dollars per annum; one stenographer and copyist at a salary of one thousand two hundred dollars per annum; one utility and valuation deputy for inside work who shall serve not to exceed one hundred and fifty days in any one calendar year and for which service he shall be paid at the rate of five dollars per diem; three deputies to be employed in preparing assessment rolls who shall serve not to exceed one hundred thirty days each in any one calendar year and be paid therefor at the rate of five dollars per diem each; one deputy to be employed in assessing automobiles and who shall serve not to exceed eighty days in any one calendar year and be paid therefor at the rate of five dollars per diem; one utility and valuation clerk for outside work who shall serve not to exceed eighty days in any one calendar year and be paid therefor at the rate of seven dollars per diem; *provided, however*, that such deputy shall furnish at his own expense necessary automobile transportation while so employed; three field deputies for service inside the city of Stockton who shall serve not to exceed one hundred days each in any one calendar year and be paid therefor five dollars per diem each; twelve field deputies to be employed in the county outside of the city of Stockton and who shall serve not to exceed eighty days each in any one calendar year and be paid therefor at the rate of seven dollars per diem each; *provided*, that such deputy shall each furnish at his own expense necessary automobile transportation while so employed; and an emergency deputy or deputies, at a salary of five dollars per diem each, which said emergency deputy or deputies shall not receive more than one thousand dollars in the aggregate in any one calendar year.

The county surveyor one chief deputy who shall be paid a salary of two thousand one hundred dollars per annum. One draftsman who shall be paid a salary of one thousand eight hundred dollars per annum.

All the deputies, assistants, employees, emergency help and clerks hereinbefore mentioned shall perform in addition to the duties herein enumerated such other duties as their respective principals shall require, and they shall be paid out of the salary fund at the same time and in the same manner as the principals are paid; *provided, however*, that allowances for use of motor vehicles by deputy sheriffs employed as traffic officers shall be made on claims against the county and paid by the board of supervisors as other claims are paid.

18. The salaries, fees, mileage and commissions herein provided shall be in full for all official services performed. No county, district or township officer shall receive from the county any salary, compensation, fees, commission or mileage, except as in this section provided. All compensation, commissions, fees and mileage now or hereafter provided by law to be paid to any county, district or township officer for any official service, except as in this section otherwise provided, shall be paid into the county treasury to the credit of the general fund, unless some other fund is especially designated by law. All compensations, fees, commissions, and mileage, except as in this section otherwise provided, received by any county, district or township officer, either as such officer, or as the agent of the State of California, or of any officer thereof, or as the agent of any political subdivision of the State of California, or of any officer thereof, shall be paid into the county treasury to the credit of the general fund, unless some other fund is specially designated by law. Until such county, district or township officer shall pay into the county treasury all compensation, commissions, fees and mileage as herein required to be paid, he shall receive no salary, and it shall be the duty of the auditor to refuse to deliver to him thereafter a salary warrant, and it shall be the duty of the treasurer to refuse to pay the same.

19. For attending as a grand juror or as a juror in superior court, for each day's attendance per day, three dollars. For each mile actually traveled in attending court as a juror in going, only, per mile, twenty-five cents.

SEC. 2. The provisions of this act so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 101. An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the number "4239" add the following: "In counties of the tenth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The county clerk, three thousand six hundred dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy for each department of the superior court in each of said counties, which offices are hereby created, as provided by section four thousand two hundred ninety of the Political Code, of the State of California. Said deputies shall be appointed by said county clerk, shall be court room clerks of said department, and shall each receive a salary of two thousand one hundred dollars per annum, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county clerk is paid. There shall be also and is hereby allowed to said county clerk a chief deputy and one office deputy and one copyist which offices are hereby created. Said deputies shall be appointed by said county clerk, the chief deputy to receive a salary of two hundred dollars per month, and the office deputy to receive a salary of one hundred fifty dollars per month, and the copyist to receive a salary of one hundred twenty-five dollars per month, which salaries shall be paid by said county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the county clerk is paid. In each year in which a new and complete registration of voters is required by law, said county clerk shall appoint an additional deputy or deputies, who shall receive the sum of seven and one-half cents per name for taking the affidavits of registration outside of the office of said county clerk, and the claims for their services at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed. In each year in which a general election is held the county clerk may appoint assistant clerks, which offices are hereby created and whose compensation shall not exceed the sum of one thousand eight hundred dollars in the aggregate for all assistants so employed. All fees received by this office shall be turned over to the county and become the property of the county. All the provisions in this paragraph, are to apply to the present incumbents.

2. The sheriff, three thousand four hundred dollars per annum, and such mileage as is now allowed by law, and also all fees for service of papers in actions arising outside of this county; *provided*, that in counties of this class there shall be and hereby is allowed to the sheriff twelve deputies, whose offices are hereby created, and who shall be appointed by the sheriff, and shall be paid salaries as follows: One chief deputy sheriff at a salary of two thousand four hundred dollars per annum; one deputy sheriff, to act as fingerprint expert and photographer, at a salary of two thousand one hundred dollars per annum; one deputy sheriff at a salary of two thousand dollars per annum; two deputy sheriffs at a salary of one thousand eight hundred dollars each per annum; one office deputy sheriff at a salary of one thousand eight hundred dollars per annum; one office deputy sheriff in the fingerprint department at a salary of one thousand five hundred dollars per annum; one deputy sheriff to act as jailer at a salary of two thousand dollars per annum; two deputy sheriffs to act as assistant jailers at a salary of one thousand eight hundred dollars each per annum; two deputy sheriffs who shall act as bailiffs of the superior court of said county at a salary of one thousand five hundred dollars each per annum; *provided, however*, that if a third superior court should be created for said county there shall be and is hereby allowed one extra deputy sheriff who shall act as bailiff of said court at a salary of one thousand five hundred dollars per annum, and who shall be appointed by the sheriff. The salaries of all of said deputies shall be paid by said county in equal monthly installments at the same time and in the same

manner and out of the same fund as the salary of the sheriff is paid. All fees and commissions, except as hereinbefore in this paragraph mentioned, shall be turned over to the county and become the property of the county. All provisions of this paragraph relating to salaries of deputies shall apply to the incumbents.

3. The recorder, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the recorder four deputies who shall be appointed by the recorder, and shall be paid the following salaries, to wit: one chief deputy at a salary of two thousand one hundred dollars per annum, one deputy (who shall have charge of the Torrens work) at a salary of two thousand one hundred dollars per annum; one deputy at a salary of one thousand eight hundred dollars per annum; one deputy at a salary of one thousand five hundred dollars per annum. The salaries of said deputies shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same funds as the salaries of the county officers are paid. The recorder may also appoint such number of copyists as may be required, who shall be paid by the county at the rate of five cents per folio. The compensation of such copyists shall be paid monthly upon claims duly presented to and allowed by the board of supervisors as other claims are presented and allowed. All fees and commissions received by this office shall be turned over to the county and become the property of the county. Except as to the salary of the recorder, the changes effected by this subdivision shall apply to the incumbents.

4. The auditor, three thousand dollars per annum. In counties of this class there shall be and there is hereby allowed to the auditor the following deputies: whose offices are hereby created and who shall be appointed by the auditor and receive the following salaries: one chief deputy, two thousand dollars per annum; one deputy, one thousand five hundred dollars per annum, and such other assistants as the auditor may require; *provided*, that the compensation of such other assistants shall not in the aggregate exceed the sum of five thousand dollars in any one year; *and provided*, further, that the auditor shall file with the county clerk a verified statement, showing in detail the amounts and the persons to whom said compensation is paid. The salaries of said deputies and assistants herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid. The provisions of this paragraph relating to deputies and assistants shall apply to the incumbents.

5. The treasurer, two thousand eight hundred dollars per annum. In counties of this class there shall be and there is hereby allowed to the treasurer two deputies, which offices are hereby created, who shall be appointed by the treasurer and receive the following salaries: one chief deputy, two thousand one hundred dollars per annum; one deputy, one thousand eight hundred dollars per annum; and also such assistants as the treasurer may require; *provided*, that the compensation of such assistants shall not in the aggregate exceed the sum of one thousand five hundred dollars in any one year; *and provided*, further, that the treasurer shall file with the county auditor a verified statement, showing in detail the amounts and the persons to whom said compensation is paid. The salaries of said deputies and assistants herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid. The provisions of this paragraph relating to deputies and assistants shall apply to the incumbents.

6. The tax collector, three thousand dollars per annum. In counties of this class there shall be and there is hereby allowed to the tax collector the following deputies, whose offices are hereby created and who shall be appointed by the tax collector: one chief deputy at a salary of two thousand dollars per annum, one deputy at a salary of one thousand five hundred dollars per annum, and such assistants as the tax collector may require; *provided*, that the compensation of such assistants shall not in the aggregate exceed the sum of nine thousand dollars in any one year; *and provided*, further, that the tax collector shall file with the county auditor a verified statement, showing in detail the amounts and the persons to whom said compensation is paid. The salaries of said deputies and assistants herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid. The provisions of this paragraph relating to deputies and assistants shall apply to the incumbents.

7. The assessor, three thousand nine hundred dollars per annum. In counties of this class there shall be allowed to the assessor the following deputies, whose offices are hereby created, and who shall be appointed by the assessor: one deputy who shall be chief deputy at a salary of two thousand four hundred dollars per annum; one office deputy at a salary of one thousand eight hundred dollars per annum, and such field deputies as the assessor may require, and whose compensation in the aggregate shall not exceed twenty thousand dollars per annum; *and provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom such compensation is paid. The assessor shall also be allowed his necessary traveling expenses, not exceeding in any one year the sum of three hundred dollars. The salaries of such deputies shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as county officers are paid. The provisions of this paragraph

relating to deputies shall apply to the incumbents. All fees and commissions, including commissions on poll taxes, collected by this office shall be turned over to the county and become the property of the county.

8. The district attorney, three thousand six hundred dollars per annum. In counties of this class there shall be and there is hereby allowed to the district attorney one chief deputy and two deputies to be appointed by the district attorney and who shall be regularly admitted to practice before the courts of the State of California. The said chief deputy shall receive a salary of three thousand dollars per annum, and each of the other deputies shall receive a salary of two thousand four hundred dollars per annum, which said salaries shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the said district attorney is paid. There shall be and there is hereby allowed to the district attorney one stenographer to be appointed by the district attorney at a salary of one thousand six hundred twenty dollars per annum, and one stenographer at a salary of one thousand two hundred dollars per annum, which said salaries shall be paid in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the district attorney. The provisions of this paragraph relating to deputies and the stenographers shall apply to the incumbents.

9. The coroner, such fees as are now or may hereafter be allowed by law.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The superintendent of schools, two thousand eight hundred dollars per annum and actual traveling expenses when visiting the schools of the county. In counties of this class there shall be and there is hereby allowed to the superintendent of schools one office deputy, which office is hereby created, at a salary of one thousand five hundred dollars per annum, and who shall be appointed by the said superintendent of schools. The salary of said deputy herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the superintendent of schools is paid. The provisions of this paragraph relating to the deputy shall apply to the incumbent.

12. The surveyor, ten dollars per day when actually employed by the county.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them as such officers: (1) In townships having a population of twelve thousand or over, one hundred twenty-five dollars; (2) in townships having a population of nine thousand or over up to twelve thousand, one hundred dollars; (3) in townships having a population of six thousand or over up to nine thousand, seventy-five dollars; (4) in townships having a population of three thousand or over up to six thousand, twenty-five dollars; (5) in townships having a population less than three thousand, ten dollars.

14. Constables shall receive the following monthly salaries, to be paid each month in the same manner and out of the same fund as county officers are paid; which shall be in full for all services rendered by them in criminal cases: (1) In townships having a population of twelve thousand or over, one hundred twenty-five dollars; (2) in townships having a population of nine thousand or over up to twelve thousand, one hundred dollars; (3) in townships having a population of six thousand or over up to nine thousand, seventy-five dollars; (4) in townships having a population of three thousand or over up to six thousand, twenty-five dollars; (5) in townships having a population less than three thousand, ten dollars; *provided, further*, that each constable shall receive his actual and necessary expenses incurred in conveying prisoners to the court or to the county jail. In addition to the compensation received in criminal cases, each constable shall receive and retain for his own use, such fees as are now or may hereafter be allowed by law for all services performed by him in civil actions.

15. Each supervisor, two thousand four hundred dollars per annum, payable in monthly installments, and fifteen cents per mile one way for traveling expenses from his residence to the place of meeting of the board at the county seat, for not more than four board meetings per month, and the necessary actual expenses incurred by him while engaged in county business outside of his district, not exceeding in the aggregate the sum of three hundred dollars per annum.

16. A live stock inspector, three hundred dollars per annum, which shall be in full payment for all services rendered by said inspector.

17. For the purposes of subdivisions thirteen and fourteen of this section, the population of the several judicial townships shall be determined by the United States census taken in 1920; *provided*, that the board of supervisors of said county may each four years thereafter cause a census of any or all townships in the county to be taken for the purpose of determining the population of said township or townships upon which to base the salaries of justices of the peace and constables.

18. In counties of this class grand and trial jurors in superior courts shall receive for each day's attendance, per day the sum of three dollars. In justices' courts in civil cases jurors shall receive for each day's attendance per day the sum of two dollars. In justices' and recorders' courts in criminal cases jurors shall receive for each day's attendance per day the sum of one dollar and fifty cents. And all jurors shall receive for each mile actually and necessarily traveled from their resi-

deences to the place of service, in going only, the sum of fifteen cents per mile, such mileage to be allowed but once during any session of the court where such jurors serve; *provided*, that the fees of all trial jurors in civil cases shall be paid by the litigants as other costs are paid, and jurors in criminal cases in recorders' courts shall be paid by the municipality in which such court is or may be established.

19. If any paragraph, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The Legislature hereby declares that it would have passed each section and each paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more paragraphs, sentences, clauses or phrases is declared unconstitutional.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 403—An act to amend section 1557 of the Penal Code, relating to extradition.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the entire title of this bill, and insert in lieu thereof the following:

"An act to add a new section to the Penal Code to be numbered one thousand five hundred fifty-nine, relating to extradition".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1, 2 and 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section numbered one thousand five hundred fifty-nine is hereby added to the Penal Code to read as follows:

1559. In any case in which any person has been indicted under the provisions of sections two hundred seventy and two hundred seventy-a of this code for wilful neglect, without legal excuse to furnish necessary food, clothing, shelter, or medical assistance for his wife, for minor child or children, and for abandoning and leaving such wife, or minor child or children, in a destitute condition, when such person has fled from justice in this state, the governor shall, when the whereabouts of such person is learned, and upon an order in due form issued by the judge of the superior court having jurisdiction of the cause, issue a requisition addressed to the governor of the state or territory to which such person has fled, demanding the extradition of said person back to this state for trial. The expense of such extradition shall be paid, one-half by the state, and one-half by the county asking for the requisition, subject, however, to the provisions of section one thousand five hundred fifty-seven of this code, in all cases in which the fugitive returned is not placed on trial."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 49—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code, and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for

the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

ADJOURNMENT.

At twelve o'clock noon, on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, April 2, 1923.

IN SENATE.

SENATE CHAMBER, SACRAMENTO, Monday, April 2, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 30, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Arbuckle was, on motion of Senator West, granted leave of absence for this day.

Senator Murphy was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Gray was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Burnett was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Gates, E. J., was, on motion of Senator Breed, granted leave of absence for this day.

Senator Dennett was, on motion of Senator Harris, granted leave of absence for this day.

Senator Godsil was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Hart was, on motion of Senator Rominger, granted leave of absence for this day.

Senator Hughes was, on motion of Senator Nelson, granted leave of absence for this day.

Senator Canepa was, on motion of Senator Carr, granted leave of absence for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing;

Also: Senate Bill No. 160—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35a, 1097, 1098, 1099, 1100 and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states;

Also: Senate Bill No. 18—An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances;

Also: Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court;

Also: Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays;

Also: Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 64—An act to add a new section to the Penal Code, to be numbered 632d, relating to the protection of fish;

Also: Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water;

And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenue, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended—and reports that the same has been correctly re-engrossed.

HANDY, Vice Chairman.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT, Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 863—An act to amend section 1202a of the Penal Code, relating to persons sentenced to State penitentiaries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out.)

ALLEN, Chairman.
GRAY.
McDONALD.
GODSILL.
CROWLEY.
SAMPLE.
CARR.

Assembly Bill No. 863 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.
Senate Joint Resolution No. 15—Relative to industrial disputes.

COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "and", insert the following: ", it is reported,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, strike out the word "The" and insert in lieu thereof the following: "It is reported that the".

Amendment adopted.

Senate Joint Resolution No. 15 ordered to print, engrossment, and on file.

Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "six o'clock" and insert in lieu thereof the words "seven o'clock".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out the words "six o'clock in" and insert in lieu thereof the words "seven o'clock p.m.".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the words "the afternoon".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 128—An act appropriating funds for the promotion of vocational classes in music in the high schools of the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 44—An act relating to liability for injury to school children.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 after line 6 of the printed bill, insert the following:

"1. The county clerk, three thousand dollars per annum, and registration fees; all other fees of the clerk's office to be paid into the county treasury; *provided*, that in counties of this class there shall be a chief deputy clerk who shall be paid a salary of two thousand four hundred dollars per annum in equal monthly installments; said chief deputy, in addition to his other duties, to prepare all deeds for the county without extra cost to the county.

One deputy clerk for each department of the superior court in this class of counties who shall receive a salary of one thousand eight hundred dollars each per annum, to be paid in equal monthly installments, also one deputy clerk who shall be paid one thousand eight hundred dollars per annum, to be paid in equal monthly installments; and also a stenographer at a salary of one thousand five hundred dollars per annum; the salaries of said deputy clerks to be paid at the same time, and in the same manner, and out of the same fund as the salary of the county clerk, the clerk also to receive ten cents a name for each person registered, which shall be allowed by the board of supervisors of the county. He shall also be allowed not to exceed ten deputies for the purpose of registering electors, who shall be paid not to exceed five cents for each elector registered; that any of such deputies as are required to work in the office shall receive not to exceed four dollars per day for the time so employed. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

2. The sheriff, three thousand six hundred dollars per annum and mileage for the service of papers or process coming from courts other than those of his own county; *provided*, that in counties of this class there shall be one chief deputy sheriff at two thousand one hundred dollars per annum, to be paid in equal monthly installments; and four deputy sheriffs at one thousand eight hundred eighty dollars per annum, to be paid in equal monthly installments. The sheriff may also, with the consent of the superior judge, when necessary for the care of a jury, appoint a woman as deputy sheriff who shall be paid a per diem of five dollars when actually engaged in the performance of her duties. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same apply immediately to the present incumbents.

3. The recorder, two thousand seven hundred dollars per annum; and said recorder shall collect and pay into the county treasury for the use and benefit of the county the fees required by law to be collected; *provided*, that in counties of this class there shall be one chief deputy recorder who shall receive a salary of two thousand one hundred dollars per annum, one indexing deputy recorder who shall receive a salary of one thousand eight hundred dollars per annum, and three deputies who shall each receive a salary of one thousand five hundred dollars per annum, and such copyists as are necessary to perform the duties of the office, at a compensation of five cents per folio, the salaries of said recorder, deputies and copyists to be paid in equal monthly installments by the county. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

4. The auditor, two thousand seven hundred dollars per annum; *provided*, that in counties of this class there shall be one deputy auditor who shall receive a salary of two thousand four hundred dollars per annum and one deputy auditor who shall receive a salary of one thousand five hundred dollars per annum. The auditor may also be allowed by the board of supervisors, a sum not exceeding one thousand dollars per annum for additional clerical help when, in the opinion of the board of supervisors, such assistance is necessary. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

5. The treasurer, one thousand eight hundred dollars per annum and the fees and commissions now or hereafter allowed by law.

6. The tax collector, one thousand eight hundred dollars per annum, and the fees and commissions now or hereafter allowed by law: *provided*, that in counties of this class, there shall be one deputy tax collector who shall receive a salary of two thousand one hundred dollars per annum, to be paid in equal monthly installments at the same time and out of the same fund as the salary of the tax collector; *also provided*, that in counties of this class there shall be one deputy tax collector for not exceeding four months in each year at a salary of one hundred fifteen dollars per month, also one deputy tax collector for not exceeding six months in each year, at one hundred fifteen dollars per month, said salaries to be paid by the county out of the same fund as the tax collector's. The tax collector may also be allowed by the board of supervisors, a sum not exceeding five hundred dollars per annum for additional clerical help when, in the opinion of the board of supervisors, such assistance is necessary. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

7. The assessor, two thousand seven hundred dollars per annum, and the fees and commissions now or hereafter allowed by law: *provided*, that in counties of this class there shall be allowed two deputies who shall be appointed by the assessor, one to receive a salary of two thousand one hundred dollars per annum and one to receive a salary of one thousand eight hundred dollars per annum in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the assessor is paid. It shall be the duty of said deputies, among other things, to make and correct all necessary plats, maps, and block-books for the assessor's office: *provided, also*, that for each name upon the assessment roll, representing one or more statements in excess of ten thousand, the assessor shall receive fifty cents. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

8. The district attorney, two thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be one deputy district attorney at a salary of one thousand three hundred dollars per annum, and one deputy district attorney at a salary of one thousand dollars per annum to be paid in equal monthly installments by the county. In addition, the district attorney shall be allowed one stenographer who shall be paid a salary of one thousand dollars per annum, to be paid in equal monthly installments by the county. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

9. The coroner, such fees as are now or may hereafter be allowed by law.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The superintendent of schools, two thousand seven hundred dollars per annum. He shall also be allowed his actual traveling expenses when visiting the schools of the county, which expenses shall not exceed the sum of one thousand dollars in any one year. He shall receive five dollars per day for his services while serving as secretary of the board of education. The superintendent of schools shall be allowed one deputy, to be appointed by the principal, who shall receive as salary two thousand dollars per annum; also one deputy, who shall receive a salary of one thousand five hundred dollars per annum; one deputy for not exceeding three months in each year, at a salary of one hundred dollars per month; said salaries of deputies to be paid in equal monthly installments, at the same time in the same manner, and out of the same fund as the salary of the superintendent of schools is paid. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

12. The surveyor shall receive three thousand dollars per annum, and in addition thereto, all actual traveling and other necessary expenses incurred in connection with field work. He shall have one deputy county surveyor at a salary of two thousand one hundred dollars per annum, and one draftsman at a salary of one thousand eight hundred dollars per annum, said deputy and draftsman to be appointed by the principal and paid at the same time and in the same manner as the county surveyor. It shall be the duty of the surveyor among other things, to make all necessary county and road maps, and all necessary plans and specifications for bridge work and county buildings; *provided, however*, that when in the judgment of the board of supervisors of the county, it is necessary to employ additional assistance for the performance of said work, other than with regard to roads, the board of supervisors may allow the necessary actual expense thereof. Also to prepare all maps or plats necessary to accompany reports made by him on road work, and prepare and keep all the necessary and proper records in his office; *provided*, he shall receive nothing for preparing any map or plat necessary to accompany reports made by him on road work, nor for preparing and keeping the proper records in his office. He shall at all times be subject to the

orders of the board of supervisors. The office of the county surveyor shall be kept open for the accommodation of the public, with the surveyor, a deputy, or a competent clerk in charge from nine o'clock a.m. until five o'clock p.m., the same as other county offices. The county surveyor shall be allowed the services of a competent clerk, to be appointed by the principal, and receive a salary of one thousand two hundred dollars per annum, to be paid out of the same fund, at the same time and in the same manner as other county officers are paid. Such compensation and salaries as above set forth shall be in full for all services as such county surveyor, and all fees and compensation received or collected by him for services other than for the county, shall be paid into the county treasury. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

13. For the purpose of regulating the compensation of justices of the peace and constables, townships of this class of counties are hereby classified according to their population, as shown by the total number of registered voters, in each township, at the next preceding general election, prior to the fixing of the classification, the said population to be determined by multiplying the said total number of registered voters by three and one-half; townships having a population of fifteen thousand and more shall belong to and be known as townships of the first class; townships having a population of eight thousand and less than fifteen thousand shall belong to and be known as townships of the second class; townships having a population of three thousand and less than eight thousand shall belong to and be known as townships of the third class; townships having a population of one thousand and less than three thousand shall belong to and be known as townships of the fourth class; townships having a population of less than one thousand shall belong to and be known as townships of the fifth class; *provided*, that the board of supervisors of the county may, prior to any general election, consolidate two or more of such townships into one.

13a. Justices of the peace shall receive the following monthly salaries, to be paid each month as county officers are paid, which shall be in full compensation for all services rendered by them, to wit: In townships of the first class, one hundred seventy-five dollars per month; *provided*, in townships of this class the justice of the peace shall be allowed a clerk, which position is hereby created. Such clerk shall be appointed by the justice of the peace of said township and shall hold office during the pleasure of said justice of the peace. He shall have authority to receive and file all pleadings and other papers to be filed; sign and issue summons and process, including writs of attachment and execution; enter satisfaction of judgments; issue transcripts and abstracts thereof and shall have authority to administer and certify oaths and take and certify affidavits in any action, suit or proceedings in said justice's court.

The clerk shall be in attendance on the court in the court room of said justice's court for the dispatch of official business, daily, legal holidays excepted, from the hour of nine o'clock a.m. until five o'clock p.m. of each day.

Such clerk shall receive a salary of one hundred dollars per month, payable monthly in the same manner as salaries of county officers are paid.

In townships of the second class, one hundred dollars per month; in townships of the third class, seventy-five dollars per month; in townships of the fourth class, thirty dollars per month; in townships of the fifth class, twenty dollars per month. Each justice must pay into the county treasury once a month all fees and fines collected by him. Justices of the peace of the first class are required to keep their offices open from nine o'clock a.m. until five o'clock p.m. In townships of the first, second and third classes the board of supervisors shall furnish adequate office room, in all other townships all justices shall be allowed not to exceed five dollars per month for office rent. These salaries shall also apply to incumbents.

14. Constables shall receive the following monthly salaries, to be paid each month as the county officers are paid, which shall be in full compensation for all services rendered by them in criminal cases, to wit: In townships of the first class, one hundred twenty-five dollars; in townships of the second class, one hundred dollars; in townships of the third class, eighty dollars; in townships of the fourth class, sixty dollars; in townships of the fifth class, forty dollars. In addition to the monthly salaries herein allowed, each constable may receive and retain for his own use, such fees as are now allowed or may hereafter be allowed by law, for all services rendered by him in civil actions, and shall also be allowed all necessary expenses actually incurred in arresting and conveying prisoners to court or to prison, which expenses shall be audited and allowed by the board of supervisors, and paid out of the county treasury; *provided, further*, that when a constable is required to go out of his own county to serve a warrant of arrest or any other papers in a criminal case, he shall be allowed all necessary expenses actually incurred in arresting and conveying prisoners to court or to prison, which expenses shall be audited by the board of supervisors. These salaries shall also apply to incumbents.

15. Supervisors shall receive the sum of two thousand one hundred dollars per annum, each, and mileage at the rate of ten cents per mile for each mile traveled in coming to and from the meetings of the board; *provided*, that only one mileage

at any one session of the board shall be allowed. They shall act as road commissioners in their respective districts. The change in compensation hereby made is not an increase in compensation of a county officer and shall become operative as soon as this act takes effect.

15½. In counties of the sixteenth class the salary of the county librarian shall be two thousand one hundred dollars per annum: *provided*, that in counties of the sixteenth class when the county librarian also acts as city librarian that he may receive additional compensation from said city for which he acts as city librarian. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbents.

16. Witnesses in criminal cases and in cases of dependent and delinquent persons shall receive two dollars per day, and ten cents per mile for each mile actually traveled, one way only. The court shall make an order directing the auditor to draw his warrant on the county treasury for the amount due, and the treasurer shall pay the same. The court may disallow any fee to a witness unnecessarily subpoenaed.

17. Jurors in a county of this class, both grand and petty jurors in the superior court, shall each receive for each day's attendance, per day, the sum of three dollars, and for each mile actually and necessarily traveled from their residence to the county seat in going only, the sum of twenty cents per mile, such mileage to be allowed but once during each session such jurors are required to attend. The court shall make an order directing the auditor to draw his warrant on the county treasury for the amount due, and the treasurer shall pay the same.

This act to go into effect immediately, and apply to all present incumbents, except as hereinbefore provided and excepted."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 240—An act granting certain tide lands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill strike out the words "the said county" and all of lines 2 to 16 inclusive and insert in lieu thereof the following: "The said county may when necessary to straighten channel lines in said harbor, exchange portions of said tide lands or submerged lands for other lands of equal value, when necessary for such purpose."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 242—An act granting certain tide lands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the words "the said" and all of lines 3 to 17 inclusive and insert in lieu thereof the following: "The said city when necessary to straighten channel lines in said harbor may exchange portions of said tide lands or submerged lands for other lands of equal value, when necessary for such purpose."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734c, relating to the change of boundaries of high school districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Beginning with line 8, on page 1, strike out all reading matter down to and including line 36, on page 2, and insert in lieu thereof the following:

"When two-thirds of the heads of families residing in any elementary school district which is a part of any high school district and the nearest part of which is more than six miles by traveled road from the high school building of said high school district, as shown by the affidavit of one or more of the petitioners, shall present to the county superintendent of schools having jurisdiction over such high school district, a petition asking that such elementary school district be excluded from such high school district and annexed to a contiguous high school district, accompanied by an agreement signed by the high school board of the high school district to which annexation is sought, agreeing to such annexation; such superintendent of schools shall, after verification of the signatures thereto and finding them sufficient, transmit such petition and agreement with or without his recommendation thereon, to the board of supervisors of the county in which such elementary school district is situated.

If, by the exclusion of the elementary school district, the assessed valuation of the property of the high school district would be less than seven million dollars, or if by the exclusion of the elementary school district the outstanding bonded indebtedness of the district would exceed five per cent of the value of the taxable property remaining in the district, said board of supervisors shall refuse to call an election for the purpose of determining whether said elementary school district shall be excluded. Otherwise, said board of supervisors may, in its discretion, within thirty days after receipt of the petition and agreement, call an election in the district so petitioning, and shall appoint three qualified electors of the district to conduct the election. Said election shall be held at the public schoolhouse of the district petitioning and shall be called by posting notice at least fifteen days before the election in three public places in the district, one of which shall be at the public schoolhouse, if there be such in the district; said board shall also publish the notice once a week for two weeks in a newspaper published in the district, or, if there be none such, in a newspaper in general circulation in the district.

Said election shall be conducted by officers appointed for that purpose in the manner provided by law for conducting school elections; the ballots at such election shall contain the words "For exclusion from _____ high school district and annexation to _____ high school district"; the name of the high school district from which exclusion is sought and the name of the high school district to which annexation is desired must be printed on the ballot, whereon the elector shall stamp or make a cross after the word "yes" or the word "no", also printed on said ballot.

It shall be the duty of said election officers to canvass the vote of said election and report the result to the said board of supervisors within five days subsequent to the holding of said election.

If two-thirds of the votes cast at such election shall be in favor of such exclusion and annexation, said board of supervisors shall, within fifteen days after receiving such notice, notify the high school board of the high school district of the result of such election, and if said high school board does not protest the exclusion of such district from the high school district, within thirty days after receiving notice, the board of supervisors shall exclude said territory from said high school district and annex it to the contiguous high school district, as provided in said election; however, should the high school board of said high school district protest such exclusion and annexation, the board of supervisors shall notify the superintendent of public instruction of the election and its result, and of the protest of the high school board, whereupon the superintendent of public instruction shall create a board of review composed of three county superintendents of schools of counties not contiguous to the county or counties in which is located the high school district from which the elementary school desires separation.

Said board of review shall, upon a date set by the superintendent of public instruction, survey the situation and conduct a public hearing on the question as to whether or not the elementary school district shall be excluded from the local high school district and annexed to a contiguous high school district. Said hearing shall be held at the high school building of the high school district to which the territory desiring exclusion at the time belongs; and said hearing shall be conducted under such rules of procedure as may be prescribed by such board of review, which may, in its discretion, require any or all evidence and information to be submitted under oath administered by a member of the board,

The superintendent of public instruction shall notify the county superintendents concerned and said county superintendents shall notify the interested high and elementary school boards, of the date of the inspection and the date and place of the public hearing, and shall give publicity to said meeting by printing an announcement of the same in a newspaper published in the high school district, or, if there be none such, in a newspaper in general circulation in said district.

In arriving at its conclusion, the board of review shall take into consideration the present and future effect on public welfare only, and said board shall, before it adjourns, recommend in writing to the board of supervisors either that the petition of the elementary school district be granted, or, if it so deems, that it shall be denied.

The board of supervisors must, within fifteen days thereafter, act in accordance with the recommendations contained therein, entering upon its minutes an order excluding the territory of said elementary school district from the high school district and annexing it to the contiguous high school district, if such be the recommendation of the board of review; or an order denying exclusion and annexation of said elementary school district, if such be the recommendation of the board of review.

A certified copy of the order of the board of supervisors shall be entered by its clerk in his record of high school districts, and he shall also send copies thereof to the county clerks of each county in which any part of such elementary school district or high school district is situated; and they shall also enter it in their records of high school districts; *provided, however*, that the district so withdrawing shall not be released from responsibility for any of the bonded indebtedness incurred while it was a part of the high school district from which it has withdrawn.

Superintendents of schools are hereby authorized and required by law to perform the duties prescribed herein. The high school board of any high school district wherein the superintendent of public instruction has ordered a review of the petition of an elementary school district to be excluded from said high school district and annexed to a contiguous high school district, is hereby authorized and required to pay the actual and necessary traveling expenses of the members of the board of review, provided for in this section."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 689 -An act to be known as the "Pure Milk Law" of California: to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, section 3, of the printed bill strike out the word "twenty-five" and insert in lieu thereof the word "thirty."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 29, section 6, of the printed bill after the word "is" insert the words "to be."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 36, section 6, of the printed bill strike out the word "twenty-five" and insert in lieu thereof the word "thirty."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 37, section 6, of the printed bill strike out the word "fifty-one" and insert in lieu thereof the word "forty-five."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, section 8, of the printed bill strike out all after the word "quality" in line 15, and the words "of milk" in line 16.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 21, section 12, of the printed bill strike out the word "Commissioners" and insert in lieu thereof the word "Commissions."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 24, section 12, of the printed bill strike out the word "Association" and insert in lieu thereof the word "Society."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 50, section 16 of the printed bill strike out the word "twenty-five" and insert in lieu thereof the word "thirty."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 52, section 16 of the printed bill strike out the word "fifty-one" and insert in lieu thereof the word "forty-five."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, line 39, section 19, of the printed bill strike out the word "twenty-five" and insert in lieu thereof the word "thirty."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation', approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 28, of the printed bill, after the word "preliminary" and before the word "equivalent", insert the word "education."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 29, of the printed bill, following the period after the word "requirement", strike out the remainder of line 29, beginning with the word "Every"; all of line 30; all of line 31; all of line 32; all of line 33; all of line 34 and line 35, ending with the word "Biology" and insert in lieu thereof the following: "Every applicant for a 'physician and surgeon certificate' graduating after January 1, 1919, shall, in addition to the foregoing requirements, present to the board satisfactory evidence that before beginning the last half of the second year in the study of medicine, he has completed a one year course of college grade in the subjects of physics, chemistry and biology."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 45, of the printed bill, after the word "and" insert the following: "for midwife applicants graduating."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 126 -An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of printed bill, strike out all of lines beginning 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, and insert in lieu thereof, the following: "American citizen of good moral character and shall also furnish satisfactory evidence that he has had, either two years experience and instruction upon work consisting of the mechanical operations described in section one hereof in a school approved and accredited by the board of dental examiners of California, or three years continuous experience and instruction upon work consisting of the mechanical operations described in section one hereof with a licensed dental surgeon or surgeons of the State of California, or with a licensed dental technician of the State of California. The experience and instruction in an approved and accredited school necessary as a prerequisite to the right to take said examination, must be obtained in two sessions of thirty-two weeks each, during two calendar years, with approximately forty hours attendance during each week. The experience and instruction with a licensed dental surgeon required as a prerequisite to the right to take said examination must be had under the immediate and constant supervision of said dental surgeon, who shall have personally performed the dental operations requiring said mechanical work."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, strike out the words "dental histology" and insert in lieu thereof the words "elementary chemistry".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the words "fifty dollars (\$50)" and insert in lieu thereof the words "ten dollars (\$10)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 48, of the printed bill, strike out the comma after the word "person" and the words "firm or corporation".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 6, of the printed bill, strike out the comma after the word "person" and the word "firm" and on line 7, strike out the words "or corporation".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 9, of the printed bill, strike out the comma after the word "person" and insert in lieu thereof a period. Strike out the words "firm or corporation".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 248—An act to amend sections 7, 8c, and 8g, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof", approved March 6, 1907, as amended, and to add two new sections thereto to be known as section 5 "a" and section 8 "h".

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of printed bill strike out all of lines 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, and insert in lieu the following:

Any person convicted under section eight of this act for having in possession any of the narcotic drugs or their derivatives mentioned therein, shall for the first conviction be punished by imprisonment in the county jail or in the state prison for not more than six years; for the second, and each subsequent offense of which said person so convicted shall be found guilty, said person shall be punished by imprisonment in the county jail, or in the state prison for not more than ten years.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of section 8h, commencing on line 34, page 3, of the printed bill.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses; and providing penalties for its violation," approved June 3, 1921.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

"An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation," approved June 3, 1921, is hereby amended to read as follows:

The people of the State of California do enact as follows:

SECTION 1. In the operating room of every theater and moving picture house located in any municipality there shall be provided running water and toilet facilities for the use of the operator.

In every municipality or other place having a sewer system adjacent to that portion of the building in which is located the operating room, such toilet facilities in said operating room shall consist of a flush-tank toilet and wash basin with run-

ning water whenever the building, health and sanitary ordinances of such municipality permit the installation of the same. In any municipality or other place having no such sewer system a dry-closet or other contrivance acceptable to the local health officer shall be installed in said operating room in place and stead of a flush-tank toilet. Any violation of the provision of this act shall be deemed a misdemeanor and punishable by a fine of not less than twenty-five dollars for each offense, and it shall be a separate offense each day that an owner of a theater or moving picture house shall fail to comply with the provisions.

SEC. 2. As used in this act the terms "theaters, moving picture houses and moving picture show places" include only such buildings or places as are used primarily as theaters or for the display of motion pictures.

SEC. 3. This act shall take effect and be in force on and after July 1, 1924."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 715—An act granting irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

SENATE COMMITTEE AMENDMENTS TO ASSEMBLY BILL NUMBER EIGHT HUNDRED ELEVEN.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill in line 2 strike out the following: "or in any high school district of any kind or class," and in lieu thereof insert the following: "including union school districts and joint union school districts or high school districts of any kind or class, including city high school districts, union high school districts and joint union high school districts."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out lines 4 and 5 and the words "of their issuance," in line 6, and in lieu thereof insert the following:

"Sec. 3. This act shall not operate to legalize any bonds which have been sold for less than par, nor to legalize any bonds the issuance of which has not received the assent of two-thirds of the qualified electors of such district, voting at an election

held for the purpose of determining whether such indebtedness shall be incurred, nor to legalize any bonds which mature at a date more than forty years from the time of their issuance."

Amendment adopted.

Bill read second time, amended, to print, and ordered on file for third reading.

REPORT OF COMMITTEE ON FUNERAL ARRANGEMENTS.

MR. PRESIDENT: Your Select Committee appointed under authority of Assembly Concurrent Resolution No. 17 begs leave to submit the following order of arrangements for the funeral services:

The services will commence in the Assembly Chamber at two o'clock p.m. on Monday, April 2, 1923. The members of the Senate and Assembly are requested to be seated in the Assembly Chamber at one o'clock and forty-five minutes p.m.

The Senators are requested to be seated with their respective Assemblymen, in so far as practicable, in the same order as in Joint Convention.

ORDER OF SERVICES.

Selection, Chopin's Funeral March.....Orchestra
 Selection.....Male Quartette
 Scripture Reading and Prayer.....Rev. Wm. E. Harrison, Chaplain of the Senate
 Address.....Bishop William H. Moreland, Chaplain of the Assembly
 Selection, "Jesus Lover of My Soul".....Male Quartette
 Eulogy, Frank L. Platt, Oakland; Thos. J. Flammer, Sacramento Lodge of Elks;
 Hon. C. C. Young, President of the Senate; Hon. Frank F. Merriam,
 Speaker of the Assembly.

Selection.....Male Quartette
 Benediction.....Bishop William H. Moreland
 Selection, "The Vacant Chair".....Orchestra

PALL BEARERS—Senators H. C. Nelson, F. J. Powers; Assemblymen T. A. Mitchell, Fred J. Moore, Earnest Dozier, Elmer P. Bromley.

At the west end of the Capitol the funeral march will be taken up and the Senators and Assemblymen will march to the City Cemetery, at the end of Tenth street, where interment will take place.

FUNERAL ESCORT.

Military Escort—Company "G," 159th Infantry, California National Guard.
 Clergy.

Hearse and pall bearers.

Mourners.

Governor, Lieutenant Governor and Speaker of Assembly.

Members of the Legislature.

State officers.

Delegations (other than legislators), societies and friends.

H. C. NELSON,
 F. J. POWERS,
 A. E. OSBORNE,
 JOSEPH A. BEEK,
 Senate Committee.

ELMER P. BROMLEY,
 JOS. F. BURNS,
 CHAS. W. CLEARY,
 EMMETT I. DONOHUE,
 BERT SYNDER,
 ARTHUR A. OHNIMUS,
 Assembly Committee.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Slater:

SENATE CHAMBER, SACRAMENTO, April 2, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class,

Referred to Committee on Rules

RECESS.

At eleven o'clock and thirty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of twelve o'clock m.

RECONVENED.

At twelve o'clock p.m., the Senate reconvened.

President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Joint Resolution No. 1—Relative to the insufficiency of transportation:

Also: Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this second day of April, 1923, at twelve o'clock m.

GATES, DR., Chairman.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 2, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

SHARKEY, Chairman.

Senate Bill No. 115 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Breed asked for, and was granted unanimous consent to take up Senate Bill No. 115, for consideration, out of the regular order.

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit

the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Senate Bill No. 115 read second time.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 22, of the printed bill, strike out the word "sole".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 34, of the printed bill, strike out the word "capitol" and insert in lieu thereof the word "capital".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 43, of the printed bill, strike out the words "and the indexes thereto".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 48, of the printed bill, strike out the words "operators or chauffeurs".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 49, of the printed bill, strike out the words "license issued hereunder." and insert in lieu thereof the words "original motor vehicle registration."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 24, of the printed bill, strike out the word "built" and insert in lieu thereof the words "first sold by the manufacturer or dealer to the consumer".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 18, of the printed bill, strike out the word "names" and insert in lieu thereof the word "name".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 18, of the printed bill, insert a semicolon (:) after the word "owner" and strike out the words "and legal".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 19, of the printed bill, strike out the word "owner".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, of the printed bill, strike out all of lines 29 to 52 inclusive, and on page 7 strike out all of lines 1 and 2 and insert in lieu thereof the following:

"Sec. 41. Certificates of registration and ownership. Upon the registration of a vehicle the division shall issue a certificate of registration to the owner and a certificate of ownership to the legal owner, or both to a person who is both owner and legal owner, which certificates shall meet the following requirements:

(1) Both the certificate of registration and the certificate of ownership shall contain upon the face thereof the date issued, the registration number assigned to the owner and to the vehicle, the name and address of the owner and legal owner in typewriting, also such description of the registered vehicle including the year first sold by the manufacturer or dealer to the consumer and such other statement of facts as may be determined by the division. The certificate of ownership shall also contain a space upon the face thereof for the signatures of the owner and legal owner which shall be subscribed thereon by the owner and legal owner respectively upon receipt of such certificate from the division.

(2) The reverse side of the certificate of ownership only shall contain forms for notice to the division of a transfer of the title or interest of the owner or legal owner and application for registration by the transferee.

(3) Whenever a vehicle is first registered hereunder the division shall issue a suitable container with the certificate of registration issued for such vehicle. Every owner upon receipt of a certificate of registration shall place the same in the container furnished therewith or heretofore furnished and shall securely fasten the same in plain sight within the driver's compartment of the vehicle for which such certificate is issued, or in the event the vehicle is a motorcycle, a trailer or semi-trailer, shall fasten the certificate of registration thereto in plain sight or carry such certificate in the tool bag or other convenient receptacle attached to such vehicle."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7, line 44, of the printed bill, strike out the words "in the same manner" and insert in lieu thereof the words "upon application to be determined by the division".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 47, of the printed bill, after the word "registration" insert the words "and ownership".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, line 9, of the printed bill, strike out the word "owners" and insert in lieu thereof the word "owner".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, line 13, of the printed bill, strike out the words "original" and "regis-" and insert after the word "of" the word "ownership".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8, line 14, of the printed bill, strike out the word "tration".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 8, line 18, of the printed bill, strike out the words "original certificate so indorsed and the" and insert in lieu thereof the words "certificate of ownership so indorsed and the certificate of registration".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 19, of the printed bill, strike out the word "duplicate".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 27, of the printed bill, strike out the words "original and duplicate".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 8, line 28, of the printed bill, after the word "certificate" insert the words "of ownership".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 8, line 28, of the printed bill, after the word "indorsement" insert the words "and the certificate of registration".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 33, of the printed bill, strike out the word "certificates" and insert in lieu thereof the word "certificate".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 34, of the printed bill, strike out the words "of registration as hereinbefore provided," and insert in lieu thereof the words "of ownership as herein provided and deliver the certificate of ownership to the new legal owner and the certificate of registration to the new owner."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 8, line 38, of the printed bill, strike out the words "original certificate of registration" and insert in lieu thereof the words "certificate of ownership".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, line 39, of the printed bill, strike out the words "original and duplicate" and insert in lieu thereof the words "certificate of ownership and the".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 40, of the printed bill, strike out the word "transferee" and insert in lieu thereof the words "new legal owner and new owner respectively".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 45, of the printed bill, strike out the word "original".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, line 46, of the printed bill, strike out the words "and duplicate" and insert in lieu thereof the words "certificate of ownership properly indorsed as required herein and the".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8, line 47, of the printed bill, strike out the words "indorsed as herein required".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 8, line 50, of the printed bill, strike out the words "original and dupli-" and in line 51 strike out the word "cate".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 8, line 51, of the printed bill, after the word "registration" insert the words "and certificate of ownership respectively".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 9, line 2, of the printed bill, strike out the words "ificates respectively" and insert in lieu thereof the words "tificate of ownership".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 9, line 11, of the printed bill, strike out the words "original certificate of registration" and insert in lieu thereof the words "certificate of ownership".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 11, lines 3 and 4, of the printed bill, strike out the words "carried in plain sight in or upon" and insert in lieu thereof the words "placed on the windshield of".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 11, line 4, of the printed bill, strike out the word "required" and strike out all of line 5 and insert in lieu thereof the words "to be specified by the division".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 13, line 16, of the printed bill, after the word "owner" insert the words "or legal owner".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 13, line 19, of the printed bill, after the word "ment" and before the period insert the words "provided in the case of an embezzlement the owner or legal owner shall have first procured a warrant for the arrest of the person charged with such embezzlement".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 13, line 19, of the printed bill, after the word "owner" insert the words "or legal owner".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 13, line 23, of the printed bill, strike out the words "or reregister".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 13, line 25, of the printed bill, after the word "vehicle," add the words "Notices given under this section shall be effective only during the current registration year in which given."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 14, line 22, of the printed bill, strike out the words "provided in this act", and insert in lieu thereof the words "a pupil operator, an operator or chauffeur, except such persons as are expressly exempted under this act".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 14, of the printed bill, strike out all of lines 23 to 26 both inclusive and insert in lieu thereof the following:

"Sec. 59. Application for pupil's permit, operator's or chauffeur's license.

Any person who has not heretofore been licensed as an operator or chauffeur and who desires to receive instruction in driving motor vehicles shall first apply to the division for a pupil's permit for which no charge shall be made. Such permit shall entitle the person to whom it is issued to drive a motor vehicle when accompanied by a licensed operator or chauffeur for a period of thirty days from the date of its issuance, and such permits may be renewed by the division for additional periods of thirty days when in the discretion of the division, or its authorized subordinates, the person holding a pupil's permit should receive further instruction before receiving an operator's or chauffeur's license.

Every person who desires to obtain an operator's or chauffeur's license shall make application therefor to the division as herein provided, and upon such application any person to whom there has been issued a pupil's permit shall attach such permit to the application for an operator's or chauffeur's license."

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 15, line 7, of the printed bill, insert the words "and the" before the word "residence" and strike out the words "and business" also strike out the words "and occupation".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 15, line 18, of the printed bill, after the word "guardian" insert a comma and the word "employer".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 15, line 30, of the printed bill, after the word "county" (the second time it appears in the line) insert the following: "or at some other point to be designated by the division within the county".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 15, line 32, of the printed bill, strike out the word "hear" and in line 33 strike out the words "ing and".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 15, line 43, of the printed bill, strike out the word "sixteen" and insert in lieu thereof the word "fourteen".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 15, of the printed bill, at the end of line 44 and at the beginning of line 45 strike out the word "twenty-one" and insert in lieu thereof the word "eighteen".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 15, line 47, of the printed bill, after the word "paid," insert the following: "Provided it shall be unlawful for any person licensed as a chauffeur who is under the age of twenty-one years to operate a vehicle carrying passengers for hire."

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 16, line 17, of the printed bill, strike out the words "hearing or".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 16, line 32, of the printed bill, strike out the word "index" and insert in lieu thereof the words "and arrange".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 16, line 33, of the printed bill, strike out the words "and index" and insert in lieu thereof the words "a file".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 17 of the printed bill, strike out all of lines 1 to 3 inclusive.

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 17 of the printed bill, strike out all of lines 41 to 45 inclusive.

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 17 of the printed bill, strike out all of lines 46 to 51 inclusive and insert in lieu thereof the following:

"Sec. 71. Any person who is licensed as a chauffeur under the provisions of this act shall not be required to procure an operator's license."

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 18 of the printed bill, strike out all of lines 1 and 2.

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 18, line 11, of the printed bill, strike out the word "six" and insert in lieu thereof the word "twelve".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 18 of the printed bill, strike out all that portion thereof beginning with the word "six" in line 17 down to and including the word "conviction" in line 18, and insert in lieu thereof the following: "one year and shall immediately thereafter notify the division of such conviction and suspension".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 20, line 18, of the printed bill, after the words "registration fees," insert "(a)".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 20, line 18, of the printed bill, strike out the word "two (2)" and insert in lieu thereof "three (3)".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 20, after the period in line 23 of the printed bill, add the following:
 "(b) A registration fee of \$10.00 shall be paid for the registration of every electric passenger motor vehicle and a registration fee of \$25.00 shall be paid for the registration of every electric motor vehicle designed and used for the transportation of freight or used for commercial purposes.

(c) The following registration fees in addition to the registration fees specified in division (a) of this section shall be paid for the registration of vehicles designed, used or maintained primarily for the transportation of property or for the transportation of passengers for hire according to the following table:

For each such vehicle weighing, when unladen, less than 4000 pounds	\$10 00
For each such vehicle weighing, when unladen, 4000 pounds or more but less than 6000 pounds	40 00
For each such vehicle weighing, when unladen, 6000 pounds or more but less than 10,000 pounds	80 00
For each such vehicle weighing, when unladen, 10,000 pounds or more	150 00

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 20, line 45, of the printed bill, strike out "\$10.00" and insert in lieu thereof "\$5.00".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 20, line 46, of the printed bill, strike out "\$5.00" and insert in lieu thereof "3.00".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 21, line 19, of the printed bill, strike out the words "twenty-five per cent of".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 21, line 37, of the printed bill, strike out "\$2.00" and insert in lieu thereof "\$1.00".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 21, line 38, of the printed bill, strike out "4.00" and insert in lieu thereof "2.00".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 21, line 39, of the printed bill, strike out ".50" and insert in lieu thereof "1.00".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 21, line 40, of the printed bill, after the word "license" insert the word "certificate".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 22, line 20, of the printed bill, strike out the words "of the beds".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 22, line 30, of the printed bill, after the word "inches," insert the following:

"(c) Anything to the contrary herein notwithstanding, it shall be lawful to operate passenger carrying vehicles in operation at the time of the passage of this act which exceed a width of ninety-six inches but do not exceed a width of one hundred and two inches when operated upon highways which exceed fifteen feet in width."

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 22, line 44, of the printed bill, strike out the words "no two of which are" and insert in lieu thereof the words "and when the front and rear axles are not".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 24, line 17, of the printed bill, strike out the period and insert a semi-colon (;) followed by the words "except that this limitation shall not apply to implements of husbandry temporarily moved upon the highway".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 24 of the printed bill, strike out all that portion beginning with the word "anything," in line 26 down to and including the word "upon" in line 27 and insert in lieu thereof "Upon".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 25 of the printed bill, strike out all of lines 5 to 16 inclusive and insert in lieu thereof the following:

"SEC. 92. Unlawful to exceed weight capacity of bridges.

It shall be unlawful for the owner, operator, driver or mover of any vehicle, object or contrivance to move, operate or drive the same over any public bridge, causeway, viaduct, trestle or dam, the weight of which vehicle, object or contrivance is greater than the maximum load which can, with safety to such bridge, causeway, viaduct, trestle or dam, be carried thereon. Whenever, in the judgment of the California Highway Commission, any public bridge, causeway, viaduct, trestle or dam can not, with safety to itself, sustain the maximum loads permitted under this act or upon the request of any board of supervisors or any other body having jurisdiction thereof, it shall be the duty of the California Highway Commission to cause an engineering investigation to be made and to publicly hear and consider the results thereof, and any other evidence that may be offered, as to the load capacity of such bridge, causeway, viaduct, trestle or dam, and to determine and declare in writing the maximum load capacity thereof. Such commission shall, if it finds and declares such bridge, causeway, viaduct, trestle or dam incapable of sustaining loads permitted by this act, cause or permit suitable signs to be erected and maintained specifying the maximum load which such bridge, causeway, viaduct, trestle or dam is capable of sustaining, such signs to be placed at a distance of not less than one hundred feet or more than one hundred fifty feet from each of the approaches thereto. Upon the trial of any person charged with violating the provisions of this section, a certified copy of the finding of such commission shall be prima facie evidence as to the load capacity of such bridge, causeway, viaduct, trestle or dam; upon such trial it shall also be necessary for the prosecution to prove the erection and existence, in accordance with the terms hereof, of the signs herein specified."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 25, line 22, of the printed bill, strike out the word "so" and insert in lieu thereof the word "illegally".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 25, line 23, of the printed bill, after the word "vehicle" insert the following: ", object or contrivance, or as the result of driving or moving any vehicle, object or contrivance weighing in excess of the maximum weight specified in this act, but authorized by a temporary permit."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 25, line 37, of the printed bill, strike out the words "or exhaust whistle".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 26, line 28, of the printed bill, after the word "motorcycle" insert the words "or farm tractor".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 29, line 8, of the printed bill, after the word "bicycle" insert the words "a reflex mirror or".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 32, line 18, of the printed bill, strike out the period and insert in lieu thereof the following: "and every complaint charging a violation of this section shall specify approximately the speed at which the defendant is alleged to have driven and exactly the lawful rate of speed at the time and place of the alleged offense."

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 33, line 33, of the printed bill, strike out that portion thereof beginning with the word "equipped" in line 33 down to and including the word "tires" in line 34 and insert in lieu thereof the following: "regulated according to weight and tire equipment."

(a) In addition to any other regulations imposed by this act it shall be unlawful for the driver of any vehicle, or combination of vehicles, the gross weight of which, including any load thereon is 18,000 pounds or more, to drive the same upon a public highway at a rate of speed in excess of twenty miles per hour."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 33, line 34, of the printed bill, before the word "It" insert "(b)" making a new paragraph.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 33, line 36, of the printed bill, after the word "same" insert the words "upon a public highway".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 34, line 3, of the printed bill, strike out the word "speeding" and insert in lieu thereof the word "misdemeanor".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 34, line 5, of the printed bill, strike out the words "section one hundred thirteen".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 34, line 5, of the printed bill, after the word "act", insert "which constitutes a misdemeanor".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 34, line 41, of the printed bill, after the word "county" insert the words "or of the State of California".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 35 of the printed bill, strike out all of line 44 and insert in lieu thereof the following: "(b) Vehicles".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 36, line 11, of the printed bill, strike out the words "street intersection" and insert in lieu thereof the words "intersection of public highways".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 36, line 12, of the printed bill, after the word "officer" insert the following words: "nor upon a curve where the driver's view along the highway is obstructed within a distance of one hundred and fifty feet".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 36, line 15, of the printed bill, after the word "vehicle" insert the words "proceeding at a lawful rate of speed".

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 40, line 3, of the printed bill, after the comma at the end of the line insert the words "or any live stock which is being driven upon the highway".

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 40, line 6, of the printed bill, after the word "horses" insert the words "or other live stock".

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 40, line 8, of the printed bill, after the word "same" insert the words "and the safety of any such live stock".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 40, line 11, of the printed bill, after the word "horses" insert the following words: "or by the driver, or persons in charge of, such live stock".

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 40, line 14, of the printed bill, strike out the words "driver or rider" and insert in lieu thereof the words "persons in charge".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 42, line 51, of the printed bill, strike out the comma after the word "vehicles" and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN.

On page 42, line 51 of the printed bill, strike out the words "and also".

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT.

On page 43 of the printed bill, strike out all of lines 1 and 2.

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE.

On page 43 of the printed bill, strike out all of lines 11 to 16 inclusive and insert in lieu thereof the following:

"(b) Every person convicted of a misdemeanor for a violation of any of the provisions of title IX of this act for which another penalty is not provided shall, for a first conviction thereof within one year, be punished by a fine of not to exceed fifty dollars or by imprisonment in the county jail for not to exceed five days; for a second conviction of a misdemeanor within one year, for a violation of any of the provisions of said title, such person shall be punished by a fine not to exceed one hundred dollars or by imprisonment in the county jail for not to exceed ten days, or by both such fine and imprisonment; upon a third conviction of a misdemeanor within one year, for a violation of the provisions of said title, such person shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

(c) Unless another penalty is in this act, or by the laws of this state provided, every person convicted of a misdemeanor for the violation of the provisions of this act shall be punished by a fine not to exceed five hundred dollars or imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

ADJOURNMENT.

At twelve o'clock noon, on motion of Senator Slater, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, April 3, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 2, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Harris was, on motion of Senator Dennett, granted leave of absence for this day.

Senator Arbuckle was, on motion of Senator West, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Captain Virgil Butts, Wallace Lennuel Ware, Frank J. McNamara and W. L. Vallandigham of Santa Rosa and U. B. Hopkins and S. S. Knight of Petaluma.

On request of Senator Godsil, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Arthur Chozel of San Francisco.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Frank J. Cunane of Larkspur.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. J. A. Pettis of Fort Bragg.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to C. H. Windham, Dr. F. C. Renfrew, R. G. Swaffield, E. C. Denio, C. C. McWhinney, Percy Hight, Geo. L. Hoodenpyle, M. Q. Giffen, and H. P. Barbour of Long Beach.

PETITION.

The following petition was presented by Senator McDonald, and ordered printed in the Journal:

We, the undersigned teachers do heartily endorse the Teachers' Retirement Salary Bill as proposed by The Teachers' Association of San Francisco. We earnestly urge the legislators to support that Bill.

ALICE ROSE POWER.

And 16 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 30, 1923, passed the following:

Assembly Bill No. 1033—An act to amend section 1942 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers;

Also: Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496b, making second hand dealers liable for receiving stolen books;

Also: Assembly Bill No. 1132—An act to amend section 4200 of the Political Code, relating to fees and salaries of county officers;

Also: Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts;

Also: Assembly Bill No. 1173—An act to amend section 296 of the Civil Code, relating to corporations.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 1033 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1042 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1132 read first time, and referred to Committee on County Government.

Assembly Bill No. 1158 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1173 read first time, and referred to Committee on Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 30, 1923, passed the following:

Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office; by providing for additional deputy clerks for said courts;

Also: Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock;

Also: Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons;

Also: Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 57 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 149 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 185 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 292 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 30, 1923, passed the following:

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of four hundred thousand or more;

Also: Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts;

the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18b thereof;

Also: Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27a, relating to the appointment of deputies;

Also: Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 341 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 398 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 572 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1032 read first time, and referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 454—An act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a state policy to encourage the cultivation of soil; declaring a state policy to protect the soil within the state; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said applications and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this act and repealing acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—5; noes—4; absent—2.

BOGGS, Chairman.

Senate Bill No. 454 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments to which was referred Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section nine of article eleven thereof, relating to the compensation of city, county, town or municipal officers—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

SAMPLE, Chairman.
CHAMBERLIN.
BURNETT.
ALLEN.
JOHNSON, M. B.
GATES, DR.
LYON.

Senate Constitutional Amendment No. 15 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California to amend section 13, article XX of the constitution of

said State, relating to elections—has had the same under consideration, and respectfully reports the same back, and recommends that it be not adopted.

Committee membership—9; committee vote: Ayes—5; noes—1; absent—3.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 13 ordered on file.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the 26th day of February, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Senate Concurrent Resolution No. 20 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 15—Relative to industrial disputes—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation," approved June 3, 1921, is hereby amended to read as follows:—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 432—An act to amend sections 2, 3, 9, 11a, 12, 9, 19, 20a and 20b of, and to add a new section to be numbered 9a, to an act, entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended;

Also: Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children;

Also: Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915;

Also: Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and

providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 159—An act to amend sections 11 and 121 of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended;

Also: Senate Bill No. 200—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California;

Also: Senate Bill No. 91—An act to add a new section to be numbered 19a to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921;

Also: Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts;

Also: Senate Bill No. 348—An act validating and confirming the organization of irrigation districts;

Also: Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than \$10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public record;

Also: Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class;

Also: Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class;

Also: Senate Bill No. 403—An act to add a new section to the Penal Code to be numbered 1559, relating to extradition;

Also: Senate Bill No. 49—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 13; committee vote: Ayes: 8; absent: 5.

SHARKEY, Chairman.

Senate Bill No. 209 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 244—An act requiring that all motor vehicles owned by the State of California or by any board, commission or department thereof, or any of the officers thereof in the discharge of official duties, be suitably marked with the name of the department, by which the same is used and providing penalties for the failure to thus mark vehicles or for the use thereof for other than official purposes connected with the duties of the particular department or political subdivision by which said vehicle is controlled—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 13; committee vote: Ayes: 8; absent: 5.

SHARKEY, Chairman.

Senate Bill No. 244 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Slater to introduce a bill entitled "An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sharkey, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Slater: Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class.

Senate Bill No. 706 read first time, and referred to Committee on Education.

RESOLUTION.

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant in favor of Senator E. J. Gates in the sum of \$36.48, to pay the following items, and the Treasurer is directed to pay the same:

Telegraphic expenditures for the Senate Finance Committee:

March 7, 1923.....	\$25 72
March 8, 1923.....	7 26
March 21, 1923.....	3 50
	<hr/>
	\$36 48

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Johnson, M. B.:

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 2893 of the Political Code, relative to toll ferries.

Referred to Committee on Rules.

By Senator Boggs:

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 29 —An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of

California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 482 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State: creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

On motion of Senator Gray, Senate Bill No. 458 was passed on file.

Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other

employees by boards of school trustees and city boards of education, and tenure of office by teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 465 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Sharkey, Slater, and Swing—24.

NOES—Burnett, Chamberlin, Eden, Nelson, Rominger, and West—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 537—An act to amend sections 2 and 50a of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title 15 of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Senate Bill No. 537 to Senator Boggs as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, lines 22 and 23, of the printed bill, strike out the words "section six hundred fifty-three *m* of the Civil Code," and insert in lieu thereof the word "law".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 537, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Chamberlin, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, A. B., moved to refer Senate Bill No. 656 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out the word "it" and in lieu thereof insert the words "such amounts".

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, strike out the words "the right to".

AMENDMENT NUMBER THREE.

On page 2, line 21, of the printed bill, strike out the comma and in lieu thereof insert a period.

AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, strike out the word "such" and insert in lieu thereof the word "Such".

AMENDMENT NUMBER FIVE.

On page 2, line 47, of the printed bill, after the period add the following: "On the hearing, any interested person may appear and be heard. The board may take testimony or authorize it to be taken by any judicial officer of the county; and it may adjourn the hearing from time to time. The decision of the board upon any such matters shall be final and conclusive."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 656, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Johnson, A. B., adopted.

Bill ordered to print, and re-engrossment.

Senate Constitutional Amendment No. 8—Resolution to propose to the people of the State of California an amendment to article XX of

the constitution of the State of California, by adding a new section thereunto to be numbered section 22 and relating to the establishment of a State insurance system.

On motion of Senator Johnson, M. B., Senate Constitutional Amendment No. 8 was passed on file.

Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title 23, relating to non-profit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation.

On motion of Senator Inman, Senate Bill No. 85 was passed on file.

Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

On motion of Senator Johnson, M. B., Senate Bill No. 692 was re-referred to Committee on Finance.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 438 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. E., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Sample, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 510—An act to create a cadet reserve in the State of California.

On motion of Senator Sample, Senate Bill No. 510 was re-referred to Committee on Military Affairs.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 64, heretofore set as a special order for twelve o'clock m., the same was taken up for consideration.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-FOUR.

Senator Inman asked for and was granted unanimous consent to take up Senate Bill No. 64 at this time.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Senate Bill No. 64—An act to add a new section to the Penal Code, to be numbered 632*d*, relating to the protection of fish.

Bill read third time previously.

HOUR OF RECESS EXTENDED.

At twelve o'clock and fifty-five minutes p.m., the hour of recess was extended until two o'clock and fifteen minutes p.m.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—37.

The Secretary announced the absentees.

Time, one o'clock and forty minutes.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls;

Also: Senate Bill No. 128—An act appropriating funds for the promotion of vocational classes in music in the high schools of the State;

Also: Senate Bill No. 44—An act relating to liability for injury to school children;

Also: Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists;

Also: Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class;

Also: Senate Bill No. 240—An act granting certain tidelands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions;

Also: Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions;

Also: Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734*e*, relating to the change of boundaries of high school districts; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—

(OUT OF ORDER).

Senate Bill No. 160—An act to repeal title 1 and title 2 of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140,

1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title 1 of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35a, 1097, 1098, 1099, 1100 and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Senate Bill No. 160 to Senator Chamberlin, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 20, lines 30 and 31, of the printed bill, strike out all of line 30 following the "period" and the word "transitu" and the "period" on line 31, page 20.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 160, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on file.

THIRD READING OF ASSEMBLY BILL—(OUT OF ORDER).

CASE OF URGENCY.

Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

Section 2 setting for the urgency clause read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and urgency section passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 811 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Assembly Bill No. 811 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 178 passed by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senators Breed and Ingram asked for and were granted unanimous consent for leaves of absence for the balance of the legislative day.

Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be known as section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations.

In the absence of the author, Senate Bill No. 320 was passed on file.

Senate Bill No. 335—An act to add a new section to the Civil Code to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

In the absence of the author, Senate Bill No. 335 was passed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 64 was refused passage by the following vote:

AYES—Senators Canepa, Carr, Crowley, Godsil, Gray, Ingram, Inman, Jones, McDonald, Murphy, Osborne, Sharkey, and Slater—13.

NOES—Senators Allen, Boggs, Breed, Burnett, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Powers, Rominger, Rush, Sample, Swing, and West—25.

ADJOURNMENT.

At two o'clock and ten minutes p.m., on motion of Senator Gates, E. J., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, April 4, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 3, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Arbuckle was, on motion of Senator West, granted leave of absence for this day.

Senator Crowley was, on motion of Senator Gray, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Jones, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. G. Melvin Warren and Miss Bernice Warren of Santa Clara.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Rabbi Rudolph I. Coffee of Oakland.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Bessie Esgen and Mrs. Ruth Bayley of Los Angeles.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 3, 1923, passed the following:

Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921;

Also: Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211a, regarding the definition of robbery and the degrees thereof;

Also: Assembly Bill No. 1177—An act to amend section 4622 of the Political Code, relating to official bonds of county officers;

Also: Assembly Bill No. 1277—An act validating toll bridge franchises for terms expressly limited to not exceeding thirty years heretofore granted by boards of supervisors of the several counties of the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 489 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 676 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 944 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1177 read first time, and referred to Committee on County Government.

Assembly Bill No. 1277 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 3, 1923, passed the following:

Assembly Bill No. 133—An act to amend section 1142 of the Political Code relating to appointment of election officers;

Also: Assembly Bill No. 139—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges;

Also: Assembly Bill No. 317—An act authorizing counties, cities and cities and counties to provide public entertainments and to charge admission therefor;

Also: Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 133 read first time, and referred to Committee on Elections.

Assembly Bill No. 139 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 317 read first time, and referred to Committee on Education.

Assembly Bill No. 352 read first time, and referred to Committee on Prisons and Reformatories.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to, or acceptance by, certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make

appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service, to provide for the enforcement of this act; to prescribe penalties for violation of the provision hereof; and to repeal all acts or parts of acts in conflict with this act:

Also: Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation', approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended:

Also: Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians:

Also: Senate Bill No. 248—An act to amend sections 7, 8e, and 8g, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof", approved March 6, 1907, as amended, and to add two new sections thereto to be known as section 5a and section 8h;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended:

Also: Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor:

Also: Senate Bill No. 160—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35a, 1097, 1098, 1099, 1100 and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 13.—A resolution to propose to the people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections:

Also: Senate Constitutional Amendment No. 15.—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article XI thereof, relating to the compensation of city, county, town or municipal officers;

Also: Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921;

Also: Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

WEST, Chairman.

Senate Bill No. 590 ordered on file for second reading.

Senate Bill No. 592 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

HUGHES, Chairman.

Senate Bill No. 510 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; noes—1; absent—1.

ALLEN, Chairman.

Assembly Bill No. 185 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 24—An act to add two new sections to the Penal Code, to be numbered 1290a and 1290b, relating to justification of bail;

Also: Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of nonresidents;

Also: Senate Bill No. 63—An act to add a new section to the Civil Code, to be numbered 869a, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary against the grantee or grantees of the person so designated "trustee" or "as trustee";

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, Chairman.

Senate Bill No. 24 ordered on file for second reading.

Senate Bill No. 426 ordered on file for second reading.

Senate Bill No. 63 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—8; noes—3; absent—3.

JONES, Chairman.

Senate Bill No. 184 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 96—An act to amend section 70 of the Civil Code relating to the solemnization of marriages;

Also: Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Senate Bill No. 96 ordered on file for second reading.

Senate Bill No. 136 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 541—An act to amend section 1184a of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Assembly Bill No. 541 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—11; noes—1; absent—2.

JONES, Chairman.

Assembly Bill No. 1158 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Boggs to introduce a bill entitled—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Boggs: Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments.

Senate Bill No. 707 read first time, and referred to Committee on Motor Vehicles.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson, M. B., to introduce a bill entitled—An act to amend section 2893 of the Political Code, relative to toll ferries—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Johnson, M. B.: Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries.

Senate Bill No. 708 read first time, and referred to Committee on Public Utilities.

The following resolutions were offered:

By Senator Lewis: Senate Joint Resolution No. 17—Relative to the increase of armament.

Senate Joint Resolution No. 17 referred to Committee on Federal Relations.

Also: Senate Constitutional Amendment No. 31—Relative to the compensation of members of the Legislature and legislative expenses.

Senate Constitutional Amendment No. 31 referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 26—Relative to the recall of public officers—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 26 ordered on file.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Handy:

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 454—An act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a State policy to encourage the cultivation of soil; declaring a State policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said applications and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this act and repealing acts or parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 9, 12, and 17, of the title of the printed bill, strike out the words "water commission" as they occur in said lines, and insert in lieu thereof the words "department of agriculture" on each of said lines 9, 12, and 17.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, strike out the words "water commission" and insert in lieu thereof the words "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 21, of the printed bill, strike out the words "six months" and insert in lieu thereof the words "two years".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 25, of the printed bill, strike out the words "six months" and insert in lieu thereof the words "two years".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 50, of the printed bill, strike out the words "commission" and insert in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 3, of the printed bill, after the word "be" insert the word, "substantially".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 5, of the printed bill, strike out the word "commission", and insert in lieu thereof, the word "department".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 7, of the printed bill, strike out the word "commission", and insert in lieu thereof, the word "department".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 14, of the printed bill, strike out the word "commissioner", and insert in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 19, of the printed bill, strike out the word "commission", and insert in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 24, of the printed bill, strike out the word "commission", and insert in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 29, of the printed bill, strike out the word "commission", and insert in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 33, of the printed bill, after the word "purposes" insert the word "substantially".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 35, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 39, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 45, of the printed bill, after the word "purposes" insert the word "substantially".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 49, of the printed bill, after the word "purposes" insert the word "substantially".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 4, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "department".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "the Vehicle Act," approved May 10, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 244—An act requiring that all motor vehicles owned by the State of California or by any board, commission or department thereof, or any of the officers thereof in the discharge of official duties, be suitably marked with the name of the department, by which the same is used and providing penalties for the failure to thus mark vehicles or for the use thereof for other than official purposes connected with the duties of the particular department or political subdivision by which said vehicle is controlled.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities, and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page

860, and approved June 13, 1913. Statutes of California, 1913, page 737, and approved May 29, 1915. Statutes of California, page 952, and all acts amendatory.

On motion of Senator Burnett, Senate Bill No. 29 was re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

In the absence of the author, Bill No. 194 was ordered passed, to retain its place on the file.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

In the absence of the author, Senate Bill No. 458 was ordered passed, to retain its place on the file.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Joseph A. Beek, Secretary of the Senate, at the desk.

SECOND READING OF ASSEMBLY BILL—(OUT OF ORDER).

Assembly Bill No. 863—An act to amend section 1202a of the Penal Code, relating to persons sentenced to State penitentiaries.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

On motion of Senator Gray, Senate Bill No. 458 was passed on file.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

In the absence of the author, Senate Bill No. 60 was ordered passed, to retain its place on the file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry: to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

In the absence of the author, Senate Bill No. 125 was ordered passed, to retain its place on the file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

In the absence of the author, Senate Bill No. 393 was ordered passed, to retain its place on the file.

SENATOR MURPHY IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Murphy of the twenty-fourth district was called to the chair.

Senate Bill No. 537—An act to amend sections 2 and 50a of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title 15 of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 537 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senator Handy—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, A. B., moved to refer Senate Bill No. 401 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "improvements" insert the word "thereon".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out lines 30 to 35, both inclusive, and in lieu thereof insert the following: "assessor when making the annual assessment shall assess the value of the land alone, not enhanced by reason of forest growth thereon, and upon no higher basis than the minimum value at which he assesses wild and unforested land and deforested land of the same character not separately classified under this act; *provided*, that no land by reason of such classification shall be assessed at a valuation lower than that of the year preceding such classification."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out line 44 and in lieu thereof insert the following:

"Sec. 7. Failure on the part of the owner with respect to any lands sepa-".

AMENDMENT NUMBER FOUR.

On page 2, line 52, of the printed bill, strike out the words "at once taxed" and in lieu thereof insert the following: "subsequently taxed as if not classified under this act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 401, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Johnson, A. B., adopted.

Bill ordered to print, and re-engrossment.

SENATE CONSTITUTIONAL AMENDMENT No. 8.

Resolution to propose to the people of the State of California an amendment to article XX of the constitution of the State of California, by adding a new section thereunto to be numbered section 22 and relating to the establishment of a State insurance system.

The Legislature of the State of California, at its regular session commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of the members elected to each of the two houses of the State Legislature voting in favor thereof, hereby purposes an amendment to article 20 of the constitution of the State of California by adding thereunto a new section to be numbered 22 and to read as follows:

Sec. 22. The Legislature is hereby expressly vested with plenary power, unlimited by any provision of this constitution, to create and enforce a complete system of insurance by the State of California whereby all property of the State and of each political subdivision thereof, including all districts established under the authority of this constitution, shall be insured and protected from losses arising from the injury or destruction of such property, or any part thereof.

Senate constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 8 refused adoption by the following vote:

AYES—Senators Breed, Creighton, Dennett, Harris, Inman, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rush, and Sample—13.

NOES—Senators Allen, Boggs, Burnett, Canepa, Carr, Chamberlin, Eden, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., McDonald, Nelson, Rominger, Sharkey, Slater, Swing, and West—22.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 656 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "land", insert "except redwood forest lands."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 656, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

ROLL CALL DEMANDED.

A roll call was demanded by Senators Nelson, Handy, and Inman, on report of Special Committee of One to amend Senate Bill No. 656.

The roll was called, and the report of the Special Committee of One adopted by the following vote:

AYES—Senators Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, M. B., Jones, McDonald, Murphy, Nelson, Sharkey, and Slater—22.

NOES—Senators Allen, Burnett, Chamberlin, Gates, Dr., Hart, Johnson, A. B., Lewis, Lyon, Osborne, Rominger, Rush, Sample, Swing, and West—14.

Bill ordered to print and re-engrossment.

Senate Bill No. 85—An act to add a new title to part IV of division 1 of the Civil Code to be known as title 23, relating to non-profit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 85 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on file.

Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special

reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be known as section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 320 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 335—An act to add a new section to the Civil Code to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

On motion of Senator Ingram, Senate Bill No. 335 was passed on file.

SENATE JOINT RESOLUTION No. 13.

Relating to immigrants or permanent residents of all aliens ineligible to citizenship.

WHEREAS, The continued admission of undesirable immigrants into the United States under the operation of our present laws taken in connection with the vast number of non-naturalized, non-assimilated persons heretofore admitted through lax laws and lax administration of our immigration laws, constitutes a vital and growing menace to American institutions and American ideals; and

WHEREAS, Obviously, the admission as immigrants of aliens who, under our laws are ineligible to citizenship, must create in our midst communities of non-assimilables having interests and ideals of their own and offering more or less of danger to American institutions and citizenship; therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States to so amend the present laws as to prohibit absolutely the entrance as immigrants or permanent residents of all aliens ineligible to citizenship; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to transmit copies of this resolution to the President of the Senate and Speaker of the House of each state legislature now in session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 13 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—Senator Johnson. A. B.—1.

Senate Joint Resolution No. 13 ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 14.

Relating to persons whose parents are ineligible to citizenship.

WHEREAS, Large numbers of persons ineligible to citizenship permanently settle in California, and

WHEREAS, All persons born in the United States and subject to the jurisdiction thereof are citizens of the United States and may own land, enjoy the elective franchise and all of the rights of citizenship, and

WHEREAS, Such ineligible aliens and their children are non-assimilable and establish and live in separate communities, and

WHEREAS, Through the citizenship of the children, such ineligible aliens obtain the full enjoyment and beneficial use of lands; be it

Resolved, That the State of California, through its Legislature, hereby memorializes the Congress to propose an amendment to the constitution of the United States, withholding citizenship from all persons whose parents are ineligible to citizenship; be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to transmit copies of these resolutions to the President of the United States, to the Secretary of State of the United States and to each of the members of the Senate and the House of Representatives.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Boggs, Breed, Burnett, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senator Johnson, A. B.—1.

Senate Joint Resolution No. 14 ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 16.

Relative to the proper care and relief of aged and infirm Indians in the State of California.

WHEREAS, The Senate of the State of California believes from definite information presented to, and by members of this body, that there is urgent need for directing the attention of the federal government to the fact that many aged and infirm Indians in the State of California are actually suffering from a lack of the necessities of life, a condition which should be remedied in accordance with certain treaties heretofore enacted between the government of the United States and the California Indians; now, therefore be it

Resolved by the Senate and the Assembly, jointly, in biennial session at Sacramento, California, this twenty-sixth day of March, 1923, That we most respectfully urge the authorities intrusted with the federal administration of Indian affairs, to make an immediate investigation, to the end that the conditions complained of, may be adequately remedied, and relief afforded.

Resolved, further, That copies of this resolution be made by the Secretary of the Senate, and transmitted to the President of the United States, the Secretary of the Interior, the Commissioner of Indian Affairs, and to each of the California Senators and Representatives in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Senate Joint Resolution No. 16 ordered transmitted to the Assembly.

Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section, to be numbered 1973a, relating to agreements in writing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 158 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Osborne, Rominger, Rush, Sample, Sharkey, Swing, and West—28.

NOES—Senators Murphy, and Powers—2.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator McDonald gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 158 was passed.

Senate Bill No. 160—An act to repeal title 1 and title 2 of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title 1 of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35a, 1097, 1098, 1099, 1100 and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 160 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senator Murphy—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator McDonald gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 160 was passed.

UNANIMOUS CONSENT GRANTED.

Senator Nelson asked for, and was granted, unanimous consent to take up out of the regular order, for the purpose of amendment, Senate Concurrent Resolution No. 20.

Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During reading of the resolution, Senator Nelson moved to refer Senate Concurrent Resolution No. 20 to Senator Handy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 8, both inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Concurrent Resolution No. 20, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Nelson, adopted.

Senate Concurrent Resolution No. 20 ordered to print, and re-engrossment.

Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rominger moved to refer Senate Bill No. 36 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title strike out the words "section two hundred four" and insert in lieu thereof the following: "Sections two hundred four and two hundred six".

AMENDMENT NUMBER TWO.

On page 1, line 27, of the printed bill, strike out the period and insert in lieu thereof the following: "*provided, further,* that in counties of the first class, where a session or sessions of the superior court are held in cities other than the county seat, it shall be the duty of the judge presiding in each such respective session, to make an order in the manner and within the time above specified, designating the estimated number of trial jurors that will, in his opinion, be required for the transaction of the business of said session of said court; and the trial of causes therein during the ensuing year, or until new lists of jurors shall be provided, and it shall also be the duty of said judge to make such selections and listings of men and women suitable and competent to serve as jurors from men and women residing within the township within which said city is located.

SEC. 2. Section two hundred six of the Code of Civil Procedure is hereby amended to read as follows:

206. The lists of jurors, to be made in counties of the first class, shall contain the number of persons which shall have been designated by the court in its order. The names for such lists shall be selected from the different wards or townships of the respective counties in proportion to the number of inhabitants therein, as nearly as the same can be estimated by the persons making said lists; and said lists shall be kept separate and distinct one from the other: *provided, further,* that in counties of the first class, where sessions of the superior court are held in cities therein, other than the county seat, the names for such lists to serve in said city shall all be selected from the townships in which said city is located: *and provided, further,* that no names from said township shall be selected to serve as trial jurors for any other part of the county."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 36, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Rominger adopted.

Bill ordered to print, and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Senate Bill No. 250 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 215—An act to amend section 626^f of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

ROMINGER, Chairman.

Senate Bill No. 215 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in Fish and Game District 19 and providing a penalty for the violation thereof and repealing all acts in conflict therewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

ROMINGER, Chairman.

Senate Bill No. 361 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

ROMINGER, Chairman.

Senate Bill No. 436 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 581—An act to amend section 628^a of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

ROMINGER, Chairman.

Senate Bill No. 581 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was re-referred engrossed Senate Bill No. 507—An act to amend section 626^m of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

ROMINGER, Chairman.

Senate Bill No. 507 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain;

Also: Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" Act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 215 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 283 read first time, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1091—An act to amend section 3a and section 3c of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances;

Also: Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee;

Also: Assembly Bill No. 838—An act to amend section 2319 of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319 of the Political Code, relating to the shipment of nursery stock;

Also: Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 40a, relating to the refunding and correction of assessments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1091 read first time, and referred to Committee on Education.

Assembly Bill No. 891 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 838 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 721 read first time, and referred to Committee on County Government.

Assembly Bill No. 573 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts;

Also: Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended;

Also: Assembly Bill No. 328—An act to add a new section to be numbered 1a to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment;

Also: Assembly Bill No. 101—An act to amend section 1810b of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 563 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 327 read first time, and referred to Committee on Finance.

Assembly Bill No. 328 read first time, and referred to Committee on Finance.

Assembly Bill No. 101 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

RE-REFERENCE OF BILLS.

On request of Senator Breed, Senate Bill No. 580 was taken from file, and re-referred to Committee on County Government.

On request of Senator Jones, Senate Bill No. 625 was withdrawn from Committee on Finance and re-referred to Committee on Judiciary.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Senator Breed, Senator Murphy declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, April 5, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 4, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Arbuckle was, on motion of Senator West, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended W. J. Hotchkiss of Berkeley, and Hon. George B. Nally of Healdsburg.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. John Wesley McCord and Belle McCord Roberts of Long Beach.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Capt. Ben Walters, well known steamboat man, of Stockton.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. B. Roehl of San Francisco, U. P. Dwyer of Sacramento, and H. H. Sanborn of San Francisco.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following persons from Pacific Union College of St. Helena: Chas. E. Weniger, head English department; Harold C. Dail, Harold E. Beasley, Harold A. Mourer, Adolphus E. Webb, George L. Cody, Ralph E. Albrecht, Mrs. R. E. Albrecht, Clarence W. Dortch, director glee club; Geo. F. Paap, Walter M. Anderson, Ray H. Duncan, and Joseph Cummins, manager.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. W. R. Sharkey and William R. Sharkey, Jr., of Martinez, and Bruce Painter of Petaluma.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. J. V. Snyder of Grass Valley.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Frank Marquardson of San Francisco.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. Leo J. McMahon of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Thomas A. Brown of San Francisco.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Chas. J. Froh, A. E. Searlett and H. Balsdon of Grimes.

PETITION.

The following petition was presented by Senator Crowley, and ordered printed in the Journal:

WHEREAS, Richardson Bay is a small landlocked arm of San Francisco Bay, too limited in size for continuous and enjoyable shooting and hunting, yet so placid are its waters and so profusely are its shallows strewn with shellfish fry that thousands of wild ducks seek it during protective periods as fat feeding grounds preparatory to the great migration to northern lakes; and,

WHEREAS, Said Richardson Bay is girted by railroads and highways used by thousands of travelers and tourists to all of whom the great flocks of feeding waterfowl within a stone's throw of the passing vehicles form a most inspiring outlook; and,

WHEREAS, Said bay is now visited for three months by the large quota of beautiful canvasback duck, which, with legal protection may be extended to six months of the year; and,

WHEREAS, This fleeting order of waterfowl should be especially conserved for the study and the enjoyment of the youth of California; now, therefore, be it

Resolved, That we, of the student body of the Humboldt Evening High School of San Francisco, do hereby commend to the favorable consideration of the Governor and the Senate and the Assembly of the State Legislature, the Reindollar bill.

setting aside Richardson Bay in Marin County as a game reserve and refuge for wild waterfowl; and be it further

Resolved, That copies of these resolutions be mailed to Governor Richardson, to the State Senate, to the State Assembly and to each of the representatives of San Francisco in the Legislature.

By order of the student body of the Humboldt Evening High School, San Francisco, California.

DOROTHY A. LASUTER, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 1169 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 322 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 490—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities or by municipalities and counties," approved May 20, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 490 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 135 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Senate Bill No. 191 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies, has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; noes—3; absent—1.

MURPHY, Chairman.

Assembly Bill No. 86 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency, has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

MURPHY, Chairman.

Assembly Bill No. 85 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; noes—1; not voting—3.

MURPHY, Chairman.

Assembly Bill No. 257 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; not voting—3; absent—1.

MURPHY, Chairman.

Assembly Bill No. 250 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the

support of persons admitted to said home—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

MCDONALD, Chairman.
SLATER.
CROWLEY.
HANDY.
RUSSELL.
ALLEN.
HART.

Assembly Bill No. 290 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 352—An act to amend section 1407 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

ALLEN, Chairman.
GODSILL.
RUSSELL.
GRAY.
CROWLEY.
MCDONALD.
CARR.

Assembly Bill No. 352 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass with favorable recommendation.

Committee membership—11; committee vote: Ayes—6; noes—3; absent—2.

INMAN, Chairman.

Senate Bill No. 84 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 273—An act to provide for the better care of live stock in transit upon railroads in this State and limiting the number of cars in any one train that may be used for the purpose of transporting such live stock—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

INMAN, Chairman.

Senate Bill No. 273 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bill No. 1213 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates;

Also: Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, county of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Senate Bills Nos. 283 and 625 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

MURPHY, Chairman.

Senate Bill No. 90 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code, to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CHAMBERLIN, Chairman.

CARR.

CREIGHTON.

DENNETT.

INMAN.

JOHNSON, A. B.

Senate Bill No. 74 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 26—Relative to the recall of public officers—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26 and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended;

Also: Senate Bill No. 244—An act requiring that all motor vehicles owned by the State of California or by any board, commission or department thereof, or any of the officers thereof in the discharge of official duties, be suitably marked with the name of the department, by which the same is used and providing penalties for the failure to thus mark vehicles or for the use thereof for other than official purposes connected with the duties of the particular department or political subdivision by which said vehicle is controlled;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 609—An act to provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health: defining its powers and duties: and making an appropriation

therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and re-refer it to Committee on Finance. Committee membership—9; committee vote: Ayes—8; absent—1.

CROWLEY, Chairman.

Senate Bill No. 699 re-referred to Committee on Finance.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Johnson, A. B.:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints.

Referred to Committee on Rules.

Also:

By Senator Gates, Dr.:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State.

Referred to Committee on Rules.

Also:

By Senator Hart:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions.

Referred to Committee on Rules.

Also:

By Senator Ingram:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 4 to 17, both inclusive, and insert in lieu thereof as follows:

"1280*a*. All such affidavits for the justification of bail shall set forth the legal description of the real estate owned by the bail, which is scheduled as showing that they each possess the qualifications provided in the preceding sections, said affidavits shall also show all encumbrances upon such real estate known to affiants and shall show the number of bonds, if any, on which said bail has qualified, within one year before the date of the affidavit."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 21 to 27, both inclusive, and on page 2, strike out lines 1 to 9, both inclusive, and insert in lieu thereof the following:

"1280*b*. It shall be the duty of the judge or magistrate to file with the county clerk, within twenty-four hours after presentation to him, all such affidavits for the justification of bail, in all proceedings, by delivering or mailing the same to the county clerk. The county clerk must keep a list of all persons whose affidavits have been so filed with him, which must show the number of times within one year that such bail has previously executed affidavits for bail."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of non-residents.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Amend section one by inserting the following after the last word in line 5, page 2: "In determining the residence of a minor inmate of the Whittier State School, Preston School of Industry and California School for Girls, due consideration shall be given to the residence of the parents of said inmate, and if either one or both parents of said minor inmate are residents of California the inmate shall also be deemed a resident of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869*a*, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary against the grantee or grantees of the person so designated "trustee" or "as trustee."

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On next to the last line of the title of the printed bill, after the word "beneficiary" insert the following: "or the original grantor or trustor".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the quotation marks preceding the word "trustee" and insert quotation marks preceding the first word "as" of line 7.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, after the word "the" and preceding the word "real" insert the following: "title to the".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out the word "real".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, strike out the words "so acquired,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 14, of the printed bill, strike out the word "that".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 18, of the printed bill, after the word "convey" strike out the words "the title so acquired" and insert in lieu thereof the words "such title or interest".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 1, of the printed bill, after the word "beneficiary" insert the words "and the original grantor or trustor and".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 1, of the printed bill, strike out the word "or".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 1, of the printed bill, after the word "under" insert the following: "them in favor of a purchaser or encumbrancer in good faith and for a valuable consideration upon".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 1, of the printed bill, commencing with the word "such" strike out all down to and including the word "from" in line 2, page 2, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 7, of the printed bill, after the word "conveyances" insert the following: "except in favor of a mortgage or encumbrance in good faith and for a valuable consideration".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 8, of the printed bill, after the word "act" insert the following: "which it shall become an act without any qualification whatsoever".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 10, of the printed bill, after the word insert the following: "and further provided, that nothing herein contained shall be construed as depriving such of their position as trustee or mortgagee, beneficiary, or any one claiming under them, from commencing and maintaining actions upon their various accounts and the subject of such conveyances".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 184.—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation.

COMMITTEE AMENDMENTS

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 2, line 1, of the printed bill, strike out the word "section" and insert in lieu thereof the following: "a new".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 9, of the printed bill, after the word insert the following: "Sec. 4. A new section is hereby added to the Political Code to be numbered four thousand four hundred sixty-six and to read as follows: 4466. Nothing in this title shall be construed to allow the printing of any newspaper, which, at the passage of this act, has an established newspaper of general circulation, circulation of which it has been printed in the press where it is published from period of one year as provided in section four thousand four hundred sixty."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 96.—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 136.—An act to amend section 164 of the Civil Code, relating to community property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 250.—An act to amend section 10 of the Political Code, relating to holidays.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the word "except", and insert in lieu thereof the following: "including".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 215—An act to amend section 626*f* of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill following the semicolon, insert the following: "*provided*, that every person in game districts two and two and one-half of the State of California, who, between the fifteenth day of September and the thirty-first day of July, inclusive of the following year, hunts, pursues, takes, kills or destroys, or has in his possession, whether taken or killed in the State of California, or shipped into the state from any other state, territory or foreign country, any male deer, or deer meat, is guilty of a misdemeanor; *provided, further*,".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "two", and the comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the words "two and one-half" and the comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out the word "prohibit" and insert in lieu thereof the word "regulate".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 2 of the title, strike out the words "fish and game district", and in line 3 of the title strike out the word "nineteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 4 of the title, strike out the words "and repealing all acts in conflict therewith".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SECTION 1. Every person who in fish and game districts nineteen, twenty A and twenty-one uses, operates, casts or extends any purse net any of the meshes of which are, when closely drawn together and measured inside the knots, less than four and one-half inches, for the purpose of taking or catching any fish, is guilty of a misdemeanor.

SEC. 2. Every person who in fish and game districts nineteen, twenty A and twenty-one takes or catches any barracuda in any lompara or round haul net is guilty of a misdemeanor.

SEC. 3. Every person who in fish and game districts four, nineteen, twenty, twenty A and twenty-one, uses or operates or casts or extends or who has in possession on any boat any paranzella or drag net is guilty of a misdemeanor.

SEC. 4. Every person violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars or more than five hundred dollars or by imprisonment, in the county jail of the county in which said conviction shall be had, not less than one hundred days or more than six months or by both such fine and imprisonment; all fines and forfeitures imposed and collected under the provisions of this act shall be paid into the state treasury to the credit of the fish and game preservation fund. This law to go into effect July 1, 1924."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, strike out the words "the nineteenth day of September" and insert in lieu thereof the following: "The thirtieth day of June of the year following".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, between lines 41 and 42, insert the following paragraph:

"5. Every person who, in fish and game district five "A" at any time, except with hook and line, said hook and line to be used in the manner commonly known as angling, takes, catches or kills any salmon, or who between the sixteenth day of September and the thirtieth day of April of the year following, both dates inclusive, takes, catches, kills or has in his possession more than three fresh salmon in any one calendar day, or buys, sells, offers or exposes for sale any fresh salmon, is guilty of a misdemeanor."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out all of lines 43 to 46, inclusive, and that part of line 47 preceding the comma, and insert in lieu thereof the following: "the sixth day of September and the thirtieth day of June of the year following".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill and after the comma in line 47 following the word "length" insert the following: "or between May sixteenth and May thirty-first, both dates inclusive, takes, catches or kills any salmon with any net, any of the meshes of which are, when drawn closely together and measured inside the knots, less than seven and one-half inches in length,"

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 42, of the printed bill strike out the figure "5" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 9, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 18, of the printed bill, strike out the figure "7" and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 25, of the printed bill, strike out the figure "8" and insert in lieu thereof the figure "9".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 33, of the printed bill, strike out the figure "9" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 49, of the printed bill, strike out the figure "10" and insert in lieu thereof the figure "11".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 5, of the printed bill, strike out the figure "11" and insert in lieu thereof the figure "12".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 10, of the printed bill, strike out the figure "12" and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 19, of the printed bill, strike out the figure "13" and insert in lieu thereof the figure "14".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 22, of the printed bill, strike out the figure "14" and insert in lieu thereof the figure "15".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 27, of the printed bill, strike out the figure "15" and insert in lieu thereof the figure "16".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "April" and insert in lieu thereof the word "March".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the word "first" and insert in lieu thereof the word "sixteenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out the word "June" and insert in lieu thereof the word "May".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, strike out the words "first day of June" and insert in lieu thereof the words "sixteenth day of May".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 20, of the printed bill, strike out the words "first day of June" and insert in lieu thereof the words "sixteenth day of May".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, of the printed bill, strike out that part of line 7 following the period and strike out all of lines 8, 9, 10, 11, 12 and 13 and that part of line 14 preceding the word "Every".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

On page 1, line 3, of the printed bill, after the word "between" insert the following: "One-half hour after".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, after the period, add the following: "Nothing herein shall be deemed to supersede or repeal any of the provisions of the public utilities act or any other law relating to the regulation of railroad corporations by the railroad commission."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Handy to introduce a bill entitled—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Handy: Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines on Clear Lake.

Senate Bill No. 709 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley Senate Bill No. 194 was passed on file.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires.

On motion of Senator Johnson, A. B., Senate Bill No. 656 was passed on file.

Senate Bill No. 335—An act to add a new section to the Civil Code to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 335 passed by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Osborne, Rominger, Sharkey, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 18—An act limiting the liability of members of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 passed by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Dennett gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 18 was passed.

RE-REFERENCE OF BILLS.

On request of Senator Inman, Senate Bill No. 128 was taken from the file and re-referred to Committee on Finance.

MOTION.

On motion of Senator Breed, the Senate took a recess for the purpose of hearing an address by Judge Benj. Lindsay of Denver, Colorado.

RECESS.

At eleven o'clock and thirty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of eleven o'clock and fifty minutes a.m.

RECONVENED.

At eleven o'clock and fifty minutes a.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the Juvenile Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sharkey, Slater, Swing, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 583 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Hurley Senate Bill No. 405 was passed on file.

Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 1, 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new

section to be numbered section 68, said section relating to the protection of vested rights to the use of water.

On motion of Senator Harris Senate Bill No. 216 was passed on file.

Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

On motion of Senator Sharkey Senate Bill No. 471 was passed on file.

Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 67, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 306 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16 and 17 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 149 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 159—An act to amend sections 11 and 12 of an act entitled "An act to provide for work upon streets, lanes, alleys, places

and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 159 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27 and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 211 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 200—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California.

On motion of Senator Carr, Senate Bill No. 200 was passed on file.

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Senate Bill No. 494 to Senator West as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 38, after the word "calling" insert the word "in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 494, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator Hurley, adopted.

Bill ordered to print, and re-engrossment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(OUT OF ORDER).

The following resolution was introduced:

By Senator Powers: Senate Joint Resolution No. 18—Relative to needy Indians within the State of California.

Senate Joint Resolution No. 18 referred to Committee on Federal Relations.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 91—An act to add a new section to be numbered 57a to an act entitled "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled "The California Water Storage District Act," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 91 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B. Johnson, M. B. Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 432—An act to amend sections 2, 3, 9, 11a, 12, 16, 19 and 20a of, and to add a new section to be numbered 9a to, an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 432 passed by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—Senators Allen, Lewis, McDonald, and Murphy—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 235 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the word "tax" following the word "state" add the following: "and the word "state" shall not appear on said receipt unless a state tax is levied against such property for such fiscal year".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 235, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Handy, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 348—An act validating and confirming the organization of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 348 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 176 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris,

Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

On motion of Senator Eden, Senate Bill No. 101 was passed on file.

Senate Bill No. 403—An act to amend section 1557 of the Penal Code, relating to extradition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 403 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—34.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 49 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 15.

Relative to industrial disputes.

WHEREAS, On July 1, 1922, approximately four hundred thousand railway shopmen went on strike in the United States (for reasons which we as a legislative body neither condemn nor condone) and which strike affected and stagnated the commerce of the United States; and,

WHEREAS, On July 1, 1922, the President of the United States offered his good offices as mediator to end the industrial dispute between the shopmen and the railroad management offering terms of settlement and, it is reported, stated to the "Federated Shop Crafts" that if they would accept the same and the railroad management should refuse he would carry his position to the American people; and,

WHEREAS, The terms offered by the President of the United States were accepted by the "Federated Shop Crafts" yet refused by the railroad management which seems that his efforts were unavailing and that said strike is not ended at this time; and,

WHEREAS, Owing to the fact that the State of California is in a great measure dependent upon railroad transportation facilities and efficiency owing to the nature of its fruitgrowing industries and therefore can not permit of further losses such as those suffered during the past period of the strike; and,

WHEREAS, It is reported that the Interstate Commerce Commission reports show a marked increase in the amount of defective railroad equipment and motive power customary at this period of the year, so much so that it appears unavoidable that stagnation of United States commerce will continue and grow worse unless the former skilled railroad employees be returned to service: now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature urgently request that the President of the United States use his offices to bring about a settlement of this industrial struggle and that each of California's Senators and Representatives in Congress be and they are hereby urged to use their good offices in their endeavor to bring about the desired results and that the Secretary of the Senate be and he is hereby directed to forward copies of this resolution to the President of the United States and to each of California's Senators and Representatives in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 15 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—34.

NOES—None.

Senate Joint Resolution No. 15 ordered transmitted to the Assembly.

Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls.

On motion of Senator Canepa, Senate Bill No. 413 was passed on file.

Senate Bill No. 44—An act relating to liability for injury to school children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 44 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and West—29.

NOES—Senators Boggs, Dennett, Eden, Harris, Inman, Johnson, M. B., and Nelson—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons.

Senator Sharkey moved that Assembly Bill No. 185 be re-referred to Committee on Prisons and Reformatories.

Motion carried.

Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 541—An act to amend section 1184a of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 248—An act to amend sections 7, *Se*, and *Sg*, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof", approved March 6, 1907, as amended, and to add two new sections thereto to be known as section 5 "*a*" and section 8 "*h*".

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Senate Bill No. 248 to Senator Murphy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title of the printed bill following the word "seven", all of lines 2 to 6, both inclusive, and insert in lieu thereof the following: "and eight *g* of an act entitled 'An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof,' approved March 6, 1907, as amended, and to add a new section thereto to be numbered section five *a*."

AMENDMENT NUMBER TWO.

On page 3, line 8, of the printed bill, before the word "Any", insert the following: "SEC. *Sg*."

AMENDMENT NUMBER THREE.

On page 3 of the printed bill strike out all of lines 22 and 23.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 248, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Senate Bill No. 689 to Senator Burnett, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 41, of the printed bill, after the word "temperature", insert the following: ", however,".

AMENDMENT NUMBER TWO.

On page 3, line 51, of the printed bill, strike out all after the word "department" and insert in lieu thereof ", if".

AMENDMENT NUMBER THREE.

On page 4, line 21, of the printed bill, strike out the small "c" in the word "commission" and insert in lieu thereof "C".

AMENDMENT NUMBER FOUR.

On page 4, line 24, of the printed bill, strike out the small "s" in the word "society" and insert in lieu thereof "S".

AMENDMENT NUMBER FIVE.

On page 5, line 20, of the printed bill, strike out the word "millileter" and insert in lieu thereof the word "milliliter".

AMENDMENT NUMBER SIX.

On page 5, line 25, of the printed bill, strike out the word "millileter" and insert in lieu thereof the word "milliliter".

AMENDMENT NUMBER SEVEN.

On page 5, line 26, of the printed bill, strike out the word "millileter" and insert in lieu thereof the word "milliliter".

AMENDMENT NUMBER EIGHT.

On page 5, line 40, of the printed bill, strike out the word "millileter" and insert in lieu thereof the word "milliliter".

AMENDMENT NUMBER NINE.

On page 5, line 41, of the printed bill, strike out the word "millileter" and insert in lieu thereof the word "milliliter".

AMENDMENT NUMBER TEN.

On page 5, line 43, of the printed bill, strike out the word "millileter" and insert in lieu thereof the word "milliliter".

AMENDMENT NUMBER ELEVEN.

On page 5, line 26, of the printed bill, strike out the word "bacteria" and insert in lieu thereof the word "bacteria".

AMENDMENT NUMBER TWELVE.

On page 6, line 2, of the printed bill, after the word, "temperature" insert the following: ", however,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 689, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURNETT, Special Committee.

Report read, and on motion of Senator Boggs, adopted.

Bill ordered to print, and re-engrossment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 454—An act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes

an extraordinary and uncommon use; declaring a State policy to encourage the cultivation of soil; declaring a State policy to protect the soil within the State; providing for the application to the Department of Agriculture for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the Department of Agriculture upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said applications and a procedure at such hearing; providing for a determination by said Department of Agriculture of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this act and repealing acts or parts of acts in conflict herewith—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester:

Also: Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor:

Also: Senate Bill No. 36—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape:

Also: Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 7, 90 and 130 thereof and by adding a new section thereto to be numbered section 132a thereof, all relating to the definition and regulation of the business of banking:

Also: Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Assembly Bill No. 947 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1119 read first time, and referred to Committee on Banking.

Assembly Bill No. 1090 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace;

Also: Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead;

Also: Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial;

Also: Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended;

Also: Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Assembly Bill No. 58 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 124 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 294 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 325 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 946 read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 481 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Slater, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 240—An act granting certain tide lands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 240 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—26.

NOES—Senators Dennett, and Inman—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION.

On motion of Senator Rush the Senate recessed for the purpose of hearing musical numbers by young men from St. Helena Sanitarium.

RECESS.

At two o'clock and thirty minutes p.m., on motion of Senator Rush the President pro tempore declared the Senate recess until the hour of two o'clock and forty-five minutes p.m.

RECONVENED.

At two o'clock and forty-five minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

Senate Bill No. 242—An act granting certain tide lands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 242 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, and West—27.

NOES—Senators Dennett, and Inman—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR EDEN IN THE CHAIR.

At two o'clock and forty-seven minutes p.m., Senator Eden of the thirty-ninth district was called to the chair.

Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734c, relating to the change of boundaries of high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 427 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in

the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation', approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses; and providing penalties for its violation," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 552 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, and West—26.

NOES—Senators Chamberlin, Hart, and Hughes—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

On motion of Senator Gray, Senate Bill No. 126 was passed on file.

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for

the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

On motion of Senator Breed, Senate Bill No. 115 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 15.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article XI thereof, relating to the compensation of city, county, town or municipal officers.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its forty-fifth regular session commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 9 of article XI of the constitution of this State be amended to read as follows:

Sec. 9. The compensation of any city, county, town or municipal officer shall not be increased after his election or during his term of office: *provided, however,* that the Legislature may provide by general laws that such additional deputies or assistants as may be necessary and proper be allowed to the principal in any county office during his term and that the Legislature may also provide that the compensation of such deputy or assistant be increased during the term of office of such principal. The term of any such officer shall not be extended beyond the period for which he is elected or appointed.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 15 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, and Slater—32.

NOES—None.

Senate Constitutional Amendment No. 15 ordered transmitted to the Assembly.

Senate Bill No. 36—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 36 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections.

On motion of Senator Inman, Senate Constitutional Amendment No. 13 was passed on file.

Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt.

State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923.

In the absence of the author, Senate Concurrent Resolution No. 20 was ordered passed, to retain its place on the file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Constitutional Amendment No. 26—Relative to the recall of public officers.

On motion of Senator Allen, Senate Constitutional Amendment No. 26 was passed on file.

Senate Bill No. 510—An act to create a cadet reserve in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 510 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Nelson, Rush, Sample, Sharkey, Slater, and West—25.

NOES—Senators McDonald, and Murphy—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 454—An act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process; declaring

the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a State policy to encourage the cultivation of soil; declaring a State policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said applications and a procedure at such hearing; providing for a determination by said State Water Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this act and repealing acts or parts of acts in conflict herewith.

SPECIAL ORDER.

Senator Inman moved that Senate Bill No. 454 be made a special order for Tuesday, April 10, 1923, at twelve o'clock.

Motion carried.

Senate Bill No. 209.—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

In the absence of the author, Senate Bill No. 209 was passed on file.

Senate Bill No. 244.—An act requiring that all motor vehicles owned by the State of California or by any board, commission or department thereof, or any of the officers thereof in the discharge of official duties, be suitably marked with the name of the department, by which the same is used and providing penalties for the failure to thus mark vehicles or for the use thereof for other than official purposes connected with the duties of the particular department or political subdivision by which said vehicle is controlled.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 244 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 458.—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

On motion of Senator Gray, Senate Bill No. 458 was passed on file.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

In the absence of the author, Senate Bill No. 60 was ordered passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

In the absence of the author, Senate Bill No. 633 was ordered passed on file.

RESOLUTIONS.

The following resolutions were introduced:

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the Senate:

Harold E. Stephens, Page----- \$2 50 per day

Resolution read, and on motion of Senator Breed, adopted.

Also:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

Harold E. Stephens, Assistant at Desk----- \$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—33.

NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Gates, Dr., to introduce a bill entitled—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Gates, Dr.: Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State.

Senate Bill No. 710 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson, A. B., to introduce a bill entitled—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Johnson, A. B.: Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints.

Senate Bill No. 711 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hart to introduce a bill entitled—An act to amend sections 392, 393, 395, and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Hart: Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions.

Senate Bill No. 712 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ingram to introduce a bill entitled—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Ingram: Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts.

Senate Bill No. 713 read first time, and referred to Committee on Judiciary.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator West:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

Referred to Committee on Rules.

By Senator Inman:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act creating a commission to provide for the survey of a ship canal from Suisun Bay to the city of Sacramento and making an appropriation therefor.

Referred to Committee on Rules.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 455—An act to amend sections 5 and 7 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—5; committee vote: Ayes—5.

CANEPA, Chairman.

Senate Bill No. 455 ordered on file for second reading.

LEAVE OF ABSENCE.

Senator Osborne asked for and was granted permission to be excused until Monday, April 9, 1923.

THIRD READING ASSEMBLY BILLS.

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 14 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional" approved June 16, 1913, as amended, relating to riparian lands under lease.

Assembly Bill No. 112 passed on file.

Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 227 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, E. J., Godsfil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition.

Assembly Bill No. 390 passed on file.

Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 93 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Crowley, Eden, Gates, Dr., Gates, E. J., Godsfil, Gray, Handy, Hart, Hughes, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Rush, Sample, Sharkey, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 17—An act declaring the public highway extending from Irwin Street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Assembly Bill No. 17 passed on file.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 72 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Crowley, Eden, Gates, Dr., Gates, E. J., Godsfil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway.

Assembly Bill No. 175 passed on file.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Assembly Bill No. 847 passed on file.

Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Assembly Bill No. 150 passed on file.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

Assembly Bill No. 1148 passed on file.

Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 637 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, E. J., Godsfil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—27.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 863—An act to amend section 1202a of the Penal Code, relating to persons sentenced to State penitentiaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 863 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsfil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 715—An act granting irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 715 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Nelson, Powers, Rush, Sample, Sharkey, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056 and also all the acts and proceedings of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 230 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Nelson, Powers, Rush, Sample, Sharkey, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At four o'clock and twenty-five minutes p.m., on motion of Senator Breed, Senator Eden declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, April 6, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 5, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Murphy was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Swing was, on motion of Senator Gray, granted leave of absence for this day.

Senator Arbuckle was, on motion of Senator West, granted leave of absence for this day.

Senator Rominger asked for and was granted unanimous consent to be excused Monday and Tuesday, April 9 and 10, 1923.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Charles Ingram of University of California.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Capt. Chadwick Thompson, well-known drayman, of San Francisco.

On request of Senator Dennett, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Evalyn Stratton, Laura Welch, Lillian Groxell, Ethel Aldrich, Myrle Marriott and Eleanor Dennett of the College of the Pacific.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following:

Alfred C. Gillis of Wintooone tribe of Shasta County, Benjamin Wilder of Karock tribe of Humboldt County, Mrs. Benjamin Wilder of Hoopa tribe of Humboldt County, Steve Super (85 years old) of Karock tribe of Humboldt County, William Fuller of Newouk tribe of Tuolumne County, John Somerville of Piute tribe of Inyo County, John Porter of Newouk tribe of Amador County, John Hart of Ylaacca-Wintooone tribe of Trinity County.

PETITIONS.

The following newspaper articles and petitions were presented by Senator Boggs and ordered printed in the Journal.

[From the Stockton Record of Tuesday, November 28, 1922.]

FOUR FISHERMEN FINED \$1,000 FOR USING GILL NETS.

One thousand dollars in fines were paid yesterday in the court of Justice Barber at Thornton by four Italian market fishermen from Pittsburg, Contra Costa County, who pleaded guilty to using gill nets to catch striped bass in the Mokelumne river.

The fishermen were arrested by Deputy Game Warden J. O'Connell and C. Newsome and immediately brought before the court. Two of the Italians had several hundred dollars in their possession. They explained that they expected to be caught and had the money in readiness to pay their fine in case they were arrested.

The court fined each defendant \$250, one of the heaviest sentences imposed in a long time for an offense of this character. The nets were confiscated.

The four fishermen who paid the fines were Salvatore Bartineo, Francisco Lombardo, Vincenzo Mutalo and Vincent Aiello.

[From the Stockton Record of December 5, 1922.]

MORE PROTECTION FOR STRIPED BASS IS BEING URGED.

Arguing that more protection is needed to preserve the present supply of striped bass in the waters of California, Fred L. Hulslander has written to the sporting editor of the Record, his views on the subject. His letter follows:

John J. Peri,

Sporting Editor of the Stockton Record.

DEAR SIR: As a result of a petition for the protection of the striped bass, which has been circulated here (the petition being similar to one now being circulated in the bay cities, where the movement originally started) some little talk has arisen locally, and it seems to come from those who have not delved deep enough into the subject to afford their argument any substantial foundation.

These same individuals claim to be anglers, and lovers of the sport of angling, and one would naturally be inclined to think they would favor any project designed for the protection of our game fish, rather than to take the opposite stand. However, the persons possessing these opinions are steadily in the minority, I am glad to say.

In a recent issue of a local daily paper, it was stated that some of the local anglers claim that the waters of our state now contain more striped bass than ever before. On the other hand you can hear some of these same persons say that it is impossible to effect a closed season on striped bass to the market fisherman because the species is a highly prized food fish.

It must be borne in mind that the striped bass was planted on our coast, from the Atlantic side, in 1870-odd. To be sure the fish thrived and multiplied to a remarkable degree since that time. But during the past two or three years it has been a most noticeable fact, with those who angle for them in both salt and fresh water, that greater protection should be given the fish to enable propagation.

The striped bass is, of course, a salt water species, and like the salmon, it ascends the rivers and creeks in spawning seasons. The writer has personally visited the coast during the past three seasons, the very native elements of this fish, and each year the fishing has been poorer than the year preceding.

I have also kept in close touch with the salt water anglers of some of the coast towns and they invariably report that fishing is poor, and are at a loss to understand it, as in years back the bass were plentiful. Now then, why does this condition exist?

Yes, the striped bass is one of our food fish, it is true. And it must be remembered, too, that the sturgeon, which fish at one time was most plentiful in our waters, was considered one of our extremely fine food fishes. Still, a law was legislated forcing a closed season for a period of years. Then again there was a time, and not so very far back, that one could buy in the market, quail, doves, wild ducks, etc. But it cannot be done today.

Why did it become necessary to enact protection laws in these classes? I'll tell you why.

When it becomes recognized, by those few who are interested, that our game and certain species of our fish are fast becoming extinct, it is understood then that something must be done. But, alas, some of us never see or feel the real detriment until it is too late.

When it is stated that laws cannot be made for further protection of the striped bass simply because it is highly esteemed as a food fish, such assertion carries little weight from an argumentative standpoint. Laws protecting our fish and game can be enacted whenever it is found necessary to do so.

(Signed)

FRED L. HULSLANDER.

Stockton, December 4, 1922.

Honorable Frank S. Rogers,
Stockton, California.

We, the undersigned, do hereby petition you, as a Senator of the State of California, to use your best efforts in the support of any and all bills which may be presented at the next session of the Legislature, meeting on the first Monday after the first day of January, 1923, stopping the seining of striped bass in the creeks, rivers, bays, and waters of the State of California; and for the promulgation of any and all laws enforcing a closed season against the netting or seining of these fish for a period of not less than six years.

The purport of this petition being to allow the propagation and increase of the striped bass, which is becoming extinct through the use of seines.

E. J. PATTERSON.

And 165 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 5, 1923, passed the following:

Assembly Bill No. 252—An act to amend section 415 of the Civil Code, relating to purchase and conveyance of real estate;

Also: Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments;

Also: Assembly Bill No. 720—An act to amend section 1281 of the Civil Code, relating to wills, the validity of which by its own terms, is made conditional;

Also: Assembly Bill No. 1250—An act to amend section 681a of the Code of Civil Procedure, relating to stay of execution;

Also: Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1819d, relating to estates of minors;

Also: Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

ARTHUR A. O'HINIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 252 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 288 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 720 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1250 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 291 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 494 read first time, and referred to Committee on Labor and Capital.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921;

Also: Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921;

Also: Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280a and 1280b, relating to justification of bail;

Also: Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of non-residents;

Also: Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869a, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary or the original grantor or trustor against the grantee or grantees of the person so designated "trustee" or "as trustee";

Also: Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation;

Also: Senate Bill No. 96—An act to amend section 70 of the Civil Code relating to the solemnization of marriages;

Also: Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property;

Also: Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays.

Also: Senate Bill No. 215—An act to amend section 626f of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 361—An act to regulate the use of purse seine nets, drag nets, lampara nets or round haul nets in and providing a penalty for the violation thereof;

Also: Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game;

Also: Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915:

Also: Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act:

Also: Senate Bill No. 248—An act to amend sections 7 and 8a of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be numbered section 5a:

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 538—An act to add a new section, to be numbered section 467a, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1277—An act validating toll bridge franchises for terms expressly limited to not exceeding thirty years heretofore granted by boards of supervisors of the several counties of the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent 4.

GATES, DR., Chairman.

Assembly Bill No. 1277 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the culling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Judiciary.

Committee membership—9; committee vote: Ayes—7; absent—2.

CROWLEY, Chairman.

Senate Bill No. 704 re-referred to Committee on Judiciary.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California:

Also: Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—11; absent—4.

HARRIS, Chairman.

Assembly Bills Nos. 307 and 1263 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—5; absent—6.

SLATER, Chairman.

Assembly Bill No. 1032 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

SLATER, Chairman.

Assembly Bill No. 81 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

SLATER, Chairman.

Assembly Bill No. 938 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 205—An act to amend section 1739a of the Political Code relating to high school districts:

Also: Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost:

Also: Senate Bill No. 344—An act to amend sections 1700 and 1701 of the Political Code of the State of California, relating to paying salaries of teachers:

Also: Senate Bill No. 345—An act to add a new section to the Political Code to be numbered 1608d, to authorize the governing boards of school districts to rent,

purchase or build and furnish school buildings to house employees of the school district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—11; absent—4.

HARRIS, Chairman.

Assembly Bill No. 205 ordered on file for second reading.

Senate Bills Nos. 342, 344 and 345 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries:

Also: Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527a, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled "An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education:

Also: Senate Bill No. 378—An act to add a new section to the Political Code, to be numbered 1705, and to amend section 1734b of the Political Code, relating to public school teachers and to high school districts;

Also: Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools;

Also: Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—11; absent—4.

HARRIS, Chairman.

Senate Bills Nos. 448, 450, 378, 311, and 706 ordered on file for second reading.

APPOINTMENT BY THE PRESIDENT.

The following communication was received and read:

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

To the Senate of the State of California,

I beg leave to inform you that I have appointed Norman Walters as Page, at a per diem of \$2.50; and Edwin Ross as Page, at a per diem of \$2.50; and respectfully request the consent of the Senate thereto.

C. C. YOUNG, President of the Senate.

Senator Breed moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Lewis, Lyon, Powers, Rominger, Rush, Slater, and West—26.

NOES—None.

RESOLUTION.

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of \$300 for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Bogges, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lewis, Lyon, Powers, Rominger, Rush, Slater, and West—28.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator West to introduce a bill entitled—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Powers, Rominger, Rush, Slater, and West—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator West: Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

Senate Bill No. 714 read first time, and referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Inman to introduce a bill entitled—An act creating a commission to provide for the survey of a ship canal from Suisun Bay to the city of Sacramento and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of

article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Hardy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. R., Johnson, M. B., Lewis, Nelson, Powers, Rominger, Rush, Slater, and West—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Inman: Senate Bill No. 715—An act creating a commission to provide for the survey of a ship canal from Suisun Bay to the city of Sacramento and making an appropriation therefor.

Senate Bill No. 715 read first time, and referred to Committee on Commerce and Navigation.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—15; committee vote: Ayes—11; absent—4.

HARRIS, Chairman.

Senate Bill No. 30 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" Act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3; absent—2.

EDEN, Chairman.

Assembly Bill No. 283 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 490—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities or by municipalities and counties," approved May 20, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1, 2 and 3 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections two thousand eight hundred forty-five and two thousand eight hundred forty-seven of the Political Code of the State of California, relating to toll bridges."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period add the following:

"Section two thousand eight hundred forty-five of the Political Code is hereby amended to read as follows:

2845. The board of supervisors granting authority to construct a toll bridge or to keep a public ferry, must at the same time:

1. Fix the amount of a penal bond to be given by the person or corporation owning or taking tolls on the bridge or ferry for the benefit of the county and of persons crossing or desiring to cross the same, and provide for the annual renewal thereof.

2. Fix the amount of license tax to be paid by the person or corporation for taking tolls thereon, not less than three dollars nor over one hundred dollars per month, payable annually.

3. Fix the rate of tolls which may be collected for crossing the bridge or ferry which may raise annually an income not exceeding fifteen per cent on the actual cost of the construction or erection of the bridge or ferry, and such additional income as will provide for the annual cost of operation, maintenance, amortization and taxes of the bridge or ferry.

4. Fix the term for the operation of such toll bridge or ferry which shall not exceed fifty years.

5. Make all necessary orders relative to the construction, erection and business of licensed toll bridges or ferries which they have by law the power to make. The board of supervisors may, at any time they see fit, authorize and maintain fords across any water within any distance of any licensed toll bridge or ferry.

SEC. 2. Section two thousand eight hundred forty-seven of the Political Code is hereby amended to read as follows:

2847. Every owner or keeper of a toll bridge or ferry must report annually to the board of supervisors from which his license is obtained, under oath, the following facts:

1. The actual cost of the construction or erection and equipment of the toll bridge or ferry.

2. The repairs made during the preceding year and the actual cost thereof.

3. The expense of labor and hire of agents and other costs necessarily incurred in and about the conduct of their business.

4. The amount of amortization and taxes actually paid in and about the conduct of their business.

5. The amount of tolls collected.

6. The estimated actual cash value of the bridge or ferry exclusive of the franchise."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill after the word "stenographer" add the following: "at a salary of one hundred and twenty-five dollars per month".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill after the word "month" strike out the word "each".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill strike out the words "for not exceeding"; also strike out all of lines 3 and 4 and insert in lieu thereof the following: "who shall receive a salary of twelve hundred dollars per annum. And there shall be and there is hereby allowed to the tax collector an additional sum of three hundred dollars per annum to be used for extra help as needed, to be paid on presentation and filing with the board of supervisors of said county upon duly verified claim or claims therefor".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 23, of the printed bill strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 35, of the printed bill strike out the words "not more", also all of line 36 and the following words in line 37: "days during any one year" and insert in lieu thereof the following: "twelve hundred dollars per annum".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill strike out all of lines 7 to 34, inclusive, and insert in lieu thereof the following: "The assessor, four thousand dollars per annum; *provided* that in counties of this class there shall be allowed to the assessor the following deputies, whose offices are hereby created and who shall be appointed by the assessor. One deputy who shall be chief deputy at a salary of two thousand four hundred dollars per annum, one assistant deputy at a salary of one thousand eight hundred dollars per annum; and an office deputy at a salary not to exceed one thousand five hundred dollars per annum; and one typist at a salary not to exceed one thousand two hundred dollars per annum; and such field deputies as the assessor may require, and whose compensation shall not in the aggregate exceed the sum of five thousand five hundred dollars. Said field deputies shall not be allowed a compensation of more than eight dollars per diem; *and provided* that the assessor shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom such compensation is paid, *and provided further* that the assessor shall be allowed such additional assistants as he may require and whose compensation shall not in the aggregate exceed the sum of seven hundred eighty dollars per annum; said assistants to be paid for their services on the presentation and filing with the board of supervisors of said county a duly verified claim or claims therefor. Said assessor may employ such assistants as may be necessary in making maps, plats and drawings essential for use in the assessor's office in the performance of his duties and the expense thereof shall be a charge against the county. It is hereby *further provided*, that the said assessor shall retain no commissions for the collection of personal property taxes or road poll taxes, but that all such collections shall be paid into the county treasury and become the property of the county".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 42, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 43, of the printed bill, strike out the words "one hundred".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 46, of the printed bill, strike out the word "three" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 46, of the printed bill, strike out the word "twenty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 191. An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the words "other than" and insert in lieu thereof the word "whether".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, strike out the following: "December 31" and insert in lieu thereof the following: "September 30".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, after the word "distributor" insert the following: "in this state".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, strike out the word "sold" and the comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 23, of the printed bill, strike out the period and insert in lieu thereof the following: "or sold by him otherwise than in the original package or container in which the same was imported into this state and for each gallon of motor vehicle fuel sold, distributed or used by him from any stock on hand or held in storage by him on August 31, 1923".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 27, of the printed bill, strike out the following: "following the year 1923" and insert in lieu thereof the word "thereafter".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 46, of the printed bill, strike out the following: "March 31, 1924" and insert in lieu thereof "December 31, 1923".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of line 48 following the period, all of lines 49 and 50, and insert in lieu thereof the following: "the provisions of this act requiring the payment of license fees shall not be held or construed to apply to motor vehicle fuel imported into this state in interstate or foreign commerce and intended to be sold in the original and unbroken tank cars or other original reciprocals, containers or packages and so sold while the same are in interstate or foreign commerce".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 2, of the printed bill, strike out the comma following the word "California" and insert in lieu thereof the following: "or exported for use outside of this state; also any person, firm, association or corporation who shall buy any motor vehicle fuel and use the same exclusively in the transportation of rural free delivery mails".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 9, of the printed bill, strike out the words "and payment".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 20, of the printed bill, strike out the words "ninety days" and insert in lieu thereof the words "six months".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 273—An act to provide for the better care of live stock in transit upon railroads in this State and limiting the number of cars in any one train that may be used for the purpose of transporting such live stock.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1, 2, 3 and 4 of the title of the printed bill, and in lieu thereof insert the following:

"An act to regulate the transportation of live stock upon railroads in this state; to provide penalties for violation of provisions of this act and to repeal all acts or parts of acts in conflict with this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period add the following: "All persons, firms or corporations operating railroads as common carriers shall transport all live stock received by them for transportation in carload lots within this state without delay and shall transport the same at a rate of speed not less than an average of fifteen miles an hour for the entire distance over which said shipment is transported by rail within this state, unless prevented by unavoidable accident; *provided* that the time consumed by loading, by stopping for watering and feeding occasioned by the requirements of law or the order of the shipper shall not be considered a part of the time in which shipments are required to be made.

SEC. 2. No common carrier transporting live stock in carload lots shall conduct or cause to be conducted any tests whereby such train is brought to a sudden and abrupt stop in such a manner as to cause injury or damage to such live stock, or whereby such live stock are injured or damaged in any manner, by reason of such test.

SEC. 3. No train which includes twenty or more cars containing live stock shall be made up so that the tonnage will exceed seventy-five per cent of the engine rating.

SEC. 4. All persons, firms or corporations operating railroads as common carriers in this state in operating its freight trains carrying one or more cars of live stock shall attach to the rear end of the freight train at the place of shipment and keep attached thereto a good and sufficient car or cars for the accommodation and safety of the person or persons accompanying such live stock.

SEC. 5. Each and every railway company operating a railway wholly or partly within this state which transports live stock shall provide adequate facilities for feeding and watering such live stock at all division and junction points where it is necessary to unload such live stock.

SEC. 6. Any common carrier which fails or refuses to transport such live stock at a rate of not less than fifteen miles an hour as herein provided shall be liable for all damages which may be sustained by any person on that account which damages shall include the loss resulting from a depreciation of the market, shrinkage in weight of such live stock, the loss in time of shipper, his agent or employee,

and any extra expense occasioned thereby and all other damages which are the proximate result of such failure, together with the cost in case suit is brought to recover same, and a reasonable attorney fee fixed by court on the trial for said action; *provided*, that all other statutory and common law remedies in addition to the remedies provided herein are hereby preserved to the shipper. Any person violating any of the other provisions of this act shall be punished on conviction thereof by a fine of not less than one hundred dollars or not more than five hundred dollars.

SEC. 7. None of the provisions of this act shall apply to narrow gauge railroads or railroads which are less than one hundred miles in length.

SEC. 8. All acts and parts of acts inconsistent herewith are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, County of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 455—An act to amend sections 5 and 7 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title, strike out the letter "s" at the end of the word "sections".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title, strike out the words "and seven".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of section 2 of the act, namely, lines 10 to 52, inclusive, on page 5 of the printed bill and all of page 6 of the bill.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 656—An act to provide funds for the prevention and suppression of forest fires.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 656 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Powers, Rominger, Rush, Sample, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Senate Bill No. 405 to Senator Nelson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, following the word "transportation" in lines 22 and 23, insert the following: "or who transports or carries".

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, following the comma after the word "nine" insert the following: "to any place outside of fish and game district one and one-half".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 405, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Hurley, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 1, 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section to be numbered section 68, said section relating to the protection of vested rights to the use of water.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 216 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Nelson, Powers, Rominger, Rush, Sample, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

On motion of Senator Sharkey, Senate Bill No. 471 was passed on file.

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

On motion of Senator Hurley, Senate Bill No. 494 was passed on file.

Senate Bill No. 200—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Nelson, Rominger, Rush, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts.

On motion of Senator Nelson, Senate Bill No. 235 was passed on file.

Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Powers, Rominger, Rush, Slater, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls.

On motion of Senator Canepa, Senate Bill No. 413 was passed on file.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

On motion of Senator Gray Senate Bill No. 126 was passed on file.

Senate Bill No. 248—An act to amend sections 7, 8*e* and 8*g*, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof", approved March 6, 1907, as amended, and to add two new sections thereto to be known as section 5 "*a*" and section 8 "*h*".

In the absence of the author, Senate Bill No. 248 was ordered passed on the file.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections.

In the absence of the author, Senate Constitutional Amendment No. 13 was passed on file.

Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of

said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

Senate Concurrent Resolution No. 20 ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Constitutional Amendment No. 26—Relative to the recall of public officers.

On motion of Senator Allen, Senate Constitutional Amendment No. 26 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26 and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Senate Bill No. 209 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 9 of the printed bill, after line 41 add the following:

"SEC. 9. Each and all of the provisions of this act shall go into effect at midnight on the thirty-first day of December, in the year one thousand nine hundred twenty-three."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 209, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

On motion of Senator Gray, Senate Bill No. 458 was passed on file.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

In the absence of the author, Senate Bill No. 633 was ordered passed on file.

Senate Bill No. 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 538 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

In the absence of the author, Senate Bill No. 590 was passed on file.

Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921.

On motion of Senator Lyon, Senate Bill No. 592 was passed on file.

Senate Bill No. 24—An act to add two new sections to the Penal Code, to be numbered 1280*a* and 1280*b*, relating to justification of bail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 24 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of non-residents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 426 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and West—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869*a*, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary against the grantee or grantees of the person so designated "trustee" or "as trustee."

On motion of Senator Nelson, Senate Bill No. 63 was passed on file.

Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation.

On motion of Senator Sharkey, Senate Bill No. 184 was passed on file.

Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

Bill read third time.

On motion of Senator Ingram, Senate Bill No. 96 was passed on file.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and thirty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hart moved to refer Senate Bill No. 689 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 3, of the printed bill, strike out all after the period following the numeral eight, and all of lines 4 to 8, inclusive, and insert in lieu thereof the following: "where any hotel, boarding house, restaurant, saloon, lunch counter or other place of public entertainment serves market milk in the original bottle, the cap thereof shall not be removed except in the presence of the consumer or patron."

ROLL CALL DEMANDED.

A roll call was demanded by Senators Boggs, Nelson and Crowley on the motion to refer to Special Committee of One.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Carr, Chamberlin, Eden, Gates, E. J., Hart, Hurley, Lyon, and Rominger—8.

NOES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Nelson, Powers, Rush, Sharkey, Slater, and West—26.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 689 finally passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Powers, Rominger, Rush, Sharkey, Slater, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILLS.

On motion of Senator Gates, E. J., Assembly Bills Nos. 327 and 328 were re-referred from Committee on Finance to Committee on Military Affairs.

COMMUNICATION.

The following communication was received by the President and on the request of Senator Inman, was ordered printed in the Journal:

WASHINGTON, D. C., April 5, 1923.

*Hon. C. C. Young, Lieutenant Governor of California,
Sacramento, California.*

I am informed Board of Control has omitted from budget State's appropriation for Sacramento and San Joaquin flood control project for next two years. By act of Congress and Legislature of California this project was approved and adopted on cooperative basis. The federal government has each year appropriated its share and thus far the State has met federal appropriation by an equal State appropriation. At the last session Congress appropriated \$499,900 for this work for fiscal year commencing July 1st. As project has been adopted by State and nation both parties to contract are in honor bound to appropriate for their share of the work. The project should be completed at the earliest possible moment. If the Legislature fails to make appropriation I fear it will be impossible to induce Congress to make appropriation next year, and it would probably mean indefinite suspension of project. Flood control project has so improved navigation on the Sacramento and San Joaquin that the amount of freight carried has enormously increased year by year, until the annual tonnage is now about two million tons. The value to commerce of this tonnage is great, as is evidenced by comparison with the tonnage of the Panama Canal. Last year eleven million tons passed through the canal. The reclamation part of this project is paid for by local interests benefited. Should the State fail to make appropriation work will stop and the work will deteriorate. It would constitute a breach of faith on the part of the State of California. Further, it would mean an ultimate greater cost to complete should the State later make appropriations to continue the project. I sincerely hope the Legislature will not abandon the project, but will appropriate the necessary amount of money, as the State is pledged to do.

CHARLES F. CURRY, Member of Congress.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 2—An act to provide for the appropriation of certain submerged lands, lying along the water front of the city and county of San Francisco for aquatic sports—has had the same under consideration, and respectfully reports the same back with amendments, and without recommendation.

OSBORNE, Chairman.

Senate Bill No. 2 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 227—An act to amend an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

RUSH, Chairman.
DENNETT.
HARRIS.
GIBBSIL.
HANDY.
WEST.
JOHNSON, A. B.
BOGGS.
GRAY.

Senate Bill No. 227 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

HARRIS, Chairman.
INGRAM.
BOGGS.
ROMINGER.
CARR.
JOHNSON, M. B.
EDEN.
ALLEN.

Senate Bill No. 102 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 562—An act to amend an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policy holders of recourse against stockholders of such corporations," approved May 31, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

BURNETT, Chairman.

Senate Bill No. 562 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following constitutional amendment was offered:

By Senator McDonald: Senate Constitutional Amendment No. 32—Relative to providing for the creation by the Legislature of the office of public conciliator in the several counties of the State.

Senate Constitutional Amendment referred to Committee on Constitutional Amendments.

RECESS.

At one o'clock and fifteen minutes p.m., on motion of Senator Gates, E. J., the President pro tempore declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p. m., the Senate reconvened. Arthur H. Breed, President pro tempore of the Senate, in the chair. Joseph A. Beek, Secretary of the Senate, at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff.

Passed on file.

Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, strike out the period at the end of the line and insert in lieu thereof a comma and the following words: "nor to bona fide schools, having been established for at least three years, securing employment for its own pupils without compensation."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, before the word "fee" and after the word "the" insert the word "maximum".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the words "peace officer" and insert in lieu thereof the following: "probation officer or district attorney".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the word "hospital" insert the following: "Whenever such petition is filed by a probation officer or district attorney, the court shall require such notice of the hearing of said petition to be given to any parent, guardian, or other person charged with the support of said imbecile, or feeble-minded person, or idiot, or epileptic mentioned in said petition, as the court may deem proper."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California relative to the judicial department—has had the same under consideration, and respectfully reports the same back with amendments, and without recommendation.

Committee membership—9; committee vote: Ayes—7; absent—2.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 25 ordered on file.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 18—Relative to needy Indians within the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—5; committee vote: Ayes—3; absent—2.

EDEN, Chairman.

Senate Joint Resolution No. 18 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

LEAVES OF ABSENCE GRANTED.

Senator Crowley was, on request of Senator McDonald, excused for the remainder of the legislative day.

Senator Rush was, on request of Senator West, excused for the remainder of the legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 136 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Nelson, Powers, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 215—An act to amend section 626f of the Penal Code, relating to the protection of game.

Bill read third time.

On motion of Senator Powers, Senate Bill No. 215 was passed on file.

Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

On motion of Senator Sample, Senate Bill No. 361 was passed on file.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

On motion of Senator Breed, Senate Bill No. 436 was passed on file.

Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 581 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Lewis, McDonald, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game.

Bill read third time.

On motion of Senator Sample, Senate Bill No. 507 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

In the absence of the author, Senate Bill No. 194 was ordered passed on file.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1158 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Lewis, McDonald, Nelson, Powers, Rominger, Sample, Sharkey, Slater and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 390 passed by the following vote:

AYES—Senators Allen, Breed, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Nelson, Rominger, Sample, Sharkey, Slater, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 541—An act to amend section 1184*a* of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished.

Assembly Bill No. 541 passed on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 passed by the following vote:

AYES—Senators Allen, Breed, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Nelson, Rominger, Sample, Sharkey, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 115 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, of the printed bill as amended, strike out all of lines 21 to 32 inclusive.

AMENDMENT NUMBER TWO.

On page 16, lines 9, 10 and 11, of the printed bill, as amended, strike out the following: "and of his ability to read highway warnings and direction signs in the English language".

AMENDMENT NUMBER THREE.

On page 16, lines 51 and 52, of the printed bill, as amended, strike out the following: "or who is unable to read highway warning and direction signs in the English language," and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 18, line 46, of the printed bill as amended, after the period insert the following:

"(a) Immediately upon receipt by the division of satisfactory evidence of the third conviction within one year of any person for the violation of any of the provisions of section one hundred and thirteen or of section one hundred and eighteen of this act the division shall forthwith revoke the operator's or chauffeur's license issued to such person by the division and shall not issue to such person a new operator's or chauffeur's license for a period of one year thereafter."

AMENDMENT NUMBER FIVE.

On page 18, line 46, of the printed bill as amended, strike out "(a)" and insert in lieu thereof "(b)".

AMENDMENT NUMBER SIX.

On page 19, line 12, of the printed bill as amended, strike out "(b)" and insert in lieu thereof "(c)".

AMENDMENT NUMBER SEVEN.

On page 19, line 23, of the printed bill as amended, strike out "(c)" and insert in lieu thereof "(d)".

AMENDMENT NUMBER EIGHT.

On page 19, line 31, of the printed bill as amended, strike out "(d)" and insert in lieu thereof "(e)".

AMENDMENT NUMBER NINE.

On page 19, line 40, of the printed bill as amended, strike out "(e)" and insert in lieu thereof "(f)".

AMENDMENT NUMBER TEN.

On page 19, line 44, of the printed bill as amended, strike out "(f)" and insert in lieu thereof "(g)".

AMENDMENT NUMBER ELEVEN.

On page 20 of the printed bill as amended, strike out all of lines 45 to 48, both inclusive, and on page 21 strike out all of lines 1 to 10, both inclusive, and insert in lieu thereof the following:

"(c) The following registration fees in addition to the registration fees specified in subdivision (a) of this section shall be paid for the registration of vehicles, including trailers, designed, used or maintained primarily for the transportation of passengers for hire, or for the transportation of property, according to the following table:

When such vehicles are equipped wholly or partly with other than pneumatic tires:

For each such vehicle weighing, when unladen, less than 4,000 pounds	\$10 00
For each such vehicle weighing, when unladen, 4,000 pounds or more but less than 6,000 pounds	20 00
For each such vehicle weighing, when unladen, 6,000 pounds or more but less than 10,000 pounds	30 00
For each such vehicle weighing, when unladen, 10,000 pounds or more	40 00

When such vehicles are equipped wholly with pneumatic tires there shall be paid additional fees according to the weight thereof unladen amounting to one-half the fees set forth in the foregoing table."

AMENDMENT NUMBER TWELVE.

On page 23, line 40, of the printed bill as amended, strike out the word "thirty" and insert in lieu thereof the words "thirty-four".

AMENDMENT NUMBER THIRTEEN.

On page 23, line 45, of the printed bill as amended, strike out the word "thirty" and insert in lieu thereof the words "thirty-four".

* AMENDMENT NUMBER FOURTEEN.

On page 24 of the printed bill as amended, strike out all of lines 26 to 37, inclusive, and insert in lieu thereof the following:

"SEC. 88. Authority of local bodies to regulate weight limits declared.

The legislative body of any county or city shall have power by ordinance to permit the operation and moving of vehicles and loads upon public highways and streets under their respective jurisdictions other than upon State highways of a maximum gross weight in excess of the maximum gross weight of vehicles and loads specified in section eighty-five of this act but shall have no power to require lighter loads than specified in this act on any improved public highway as such highway is defined herein, except as in this section otherwise provided.

The state highway commission shall also whenever in its judgment after an engineering investigation, any state highway will with safety to itself sustain vehicles and loads weighing more than the maximum weight limit set forth in section eighty-five of this act, have power to so declare and to fix a weight limit for such highway greater than the maximum weight limit specified in said section, and it shall thereafter be lawful to operate or move vehicles and loads of a gross weight upon such state highways so designated by the state highway commission equal to but not in excess of the maximum weight limit fixed by said highway commission.

This act is intended to and shall be construed as permitting, authorizing and declaring that it shall be lawful, subject to other provisions of this act, to operate and move upon state highways and improved county highways as defined in this section vehicles whose total weight including loads do not exceed the weight limit set forth in section eighty-five of this act.

Boards of supervisors in their respective counties may reduce the permissible weight of vehicles and loads operated or moved upon unimproved county highways or upon bridges and may temporarily reduce the permissible weight limit of vehicles and loads operated or moved upon improved county highways in their respective counties when such improved county highways are temporarily affected by rain, snow, or ice, or other climatic conditions, provided signs indicating the maximum gross weight allowed shall be erected at each end of that portion of any said county highway upon which the permissible gross weight is reduced as herein provided.

For the purposes of this act an improved highway or road is hereby defined to be a highway or road paved with concrete, or asphaltic concrete, or a highway or road having a hard surface and distinct roadway not less than four inches thick made up of a mixture of rock, sand, or gravel bound together by an artificial binder other than natural soil."

AMENDMENT NUMBER FIFTEEN.

On page 27, line 52, of the printed bill as amended, insert a period after the word "vehicle".

AMENDMENT NUMBER SIXTEEN.

On page 28 of the printed bill as amended, strike out all of lines 1 to 38, inclusive, and insert in lieu thereof the following:

"Such headlights shall be so attached to such motor vehicle that the centers thereof shall be not less than twenty-four inches nor more than fifty inches above the level surface upon which the vehicle stands.

(b) The term "headlight" as used herein shall denote a light located upon the front or other portion of a vehicle the rays of which are projected forward, other than a side light or a spot light.

(c) Motor vehicles may also be equipped with two side lights but no more or less. The term "side lights" shall include any lights upon a motor vehicle other than headlights or spot lights the rays of which project forward. No electric lamps or bulbs shall be used in any side light which exceeds four candlepower.

SEC. 101. Construction, arrangement and adjustment of headlights. The headlights of motor vehicles shall be so constructed, arranged and adjusted that they will produce ample driving light for the use of the operator of such vehicle but will not project a glaring or dazzling light to persons approaching such lights or to persons whom such headlights may approach.

Headlights shall be presumed to comply with this section if they comply with the following requirements and limitations when the vehicle upon which they are affixed is fully loaded and shall be presumed not to comply herewith if they do not under such circumstances comply with such requirements and limitations.

The light projected by such headlights shall be as follows:

1. In the median vertical plane parallel to the lamps on a level with the centers

of the lamps, not less than one thousand eight hundred nor more than six thousand, apparent candlepower.

2. In the median vertical plane, one degree of arc below the level of the center of the lamps, not less than seven thousand two hundred apparent candlepower and there shall not be less than seven thousand two hundred apparent candlepower anywhere on the horizontal line through this point one degree to the left or to the right of this point.

3. In the median vertical plane one degree of arc above the level of the center of the lamps not more than two thousand four hundred, nor less than eight hundred, apparent candlepower.

4. Four degrees of arc to the left of the median vertical plane and one degree of arc above the level of the center of the lamps not more than eight hundred apparent candlepower.

5. One and one-half degrees of arc below the level of the center of the lamps and three degrees of arc to the left and to the right respectively of the median vertical plane not less than five thousand apparent candlepower nor less than this amount anywhere on the line connecting these two points.

6. Three degrees of arc below the level of the center of the lamps and six degrees of arc to the left and to the right, respectively, of the median vertical plane not less than two thousand apparent candlepower nor less than this amount anywhere on the line connecting these two points.

Such headlights shall comply with such requirements and limitations with (1) the filament of the lamp at focus of the reflector, (2) a lamp or bulb of twenty-one candlepower and (3) such a tilt as brings the cut-off line of the light projected no higher than the center of the headlights."

AMENDMENT NUMBER SEVENTEEN.

On page 29 of the printed bill as amended, strike out all of line 2 after the period therein and all of the line 3 to and including the period therein.

AMENDMENT NUMBER EIGHTEEN.

On page 29, line 7, of the printed bill as amended, after the period insert the following: "Each such applicant shall upon the filing of his application pay to the division a fee of fifty dollars. All such fees shall be paid by the division into the state treasury and deposited in a fund to be known as the motor vehicle testing fee fund, and the moneys in such fund, or so much of them as may be necessary, are hereby appropriated to meet the expenses of the test provided for in this act, and the balance thereof, if any, shall be paid into the motor vehicle fund."

AMENDMENT NUMBER NINETEEN.

On page 29, lines 13, 18 and 33, of the printed bill as amended, strike out "globe" and insert in lieu thereof "lamp or bulb".

AMENDMENT NUMBER TWENTY.

On page 29, line 21, of the printed bill as amended, after the period insert the following: "The chief of the division may refuse approval to any device which in his opinion will be, in actual use, unsafe or impractical."

AMENDMENT NUMBER TWENTY-ONE.

On page 30 of the printed bill as amended, strike out all of line 2 beginning with "Unless" and all of lines 3 to 6 inclusive and insert in lieu thereof:

"(i) From and after the date upon which this act become effective it shall be unlawful to sell or offer for sale any headlight lamp or headlight equipment unless it is of a type which shall have been approved by the division under the provisions hereof and it shall be unlawful to sell or offer for sale any new motor vehicle equipped with headlights which do not comply with the provisions of this section.

Nothing in this act shall be construed as preventing the use on a motor vehicle of any headlight lamp, device or equipment heretofore approved by the division until December 31, 1924, unless such approval is revoked in accordance with the provisions hereof. After December 31, 1924, it shall be unlawful to use on any highway in this state any headlight lamp, device or equipment which shall not have been approved by the division as in this act provided."

AMENDMENT NUMBER TWENTY-TWO.

On page 30, line 12, of the printed bill as amended, after the period insert: "When only one headlight is used such headlight shall be deemed to comply with this act if it complies with the requirements and limitations hereinbefore set forth for two headlamps except that it need project only half the candlepower of light specified in the second, fifth and sixth provisions of such requirements and limitations as set forth in section one hundred ninety-one hereof."

AMENDMENT NUMBER TWENTY-THREE.

On page 30 of the printed bill as amended, strike out all of lines 13 to 23, inclusive, and insert in lieu thereof the following:

"Sec. 104. Lights on slow moving commercial vehicles.

At the times and under the conditions specified in section ninety-nine motor vehicles used for the transportation of property, in lieu of the headlights required by this act, may be equipped with two lighted acetylene, or other lamps, at the front thereof which lamps shall give a light visible from at least two hundred feet in front of such vehicle and sufficient to reveal any person, vehicle or other substantial object on the road ahead for a distance of at least seventy-five feet, *provided* it shall be unlawful for any person driving a vehicle equipped with lights as permitted under this section to drive such vehicle at any of the times or under any of the conditions mentioned in section ninety-nine at a speed in excess of twenty miles per hour nor in excess of any lesser speed declared by this act to be the maximum speed at which such vehicle may lawfully be driven."

AMENDMENT NUMBER TWENTY-FOUR.

On page 31, lines 4 and 5, of the printed bill as amended, strike out "fastened to the windshield, the windshields support or top of" and insert in lieu thereof "on".

AMENDMENT NUMBER TWENTY-FIVE.

On page 31, of the printed bill as amended, strike out all of line 6 beginning with the word "side" and all of line 7 and insert in lieu thereof "headlights and side lights."

AMENDMENT NUMBER TWENTY-SIX.

On page 31, line 8, of the printed bill as amended, after the word "be" insert "affixed to such vehicle in such a manner that the centers thereof shall be not less than fifty, nor more than seventy-two, inches above the level surface upon which the vehicle stands and shall be".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 35, line 36, of the printed bill as amended, after the word "act" insert the following: "unless such violation is herein declared to be a felony".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 45, of the printed bill as amended, strike out all of lines 23 to 25 both inclusive and insert in lieu thereof the words, "the division."

AMENDMENT NUMBER TWENTY-NINE.

On page 46, of the printed bill as amended, strike out all of lines 12 and 13 and insert in lieu thereof the following:

"(b) There is hereby appropriated out of such fund all moneys received as operators' license fees, and chauffeurs' license fees and duplicate operators' and chauffeurs' license fees and in addition thereto such portion of the remainder of such motor vehicle fund not exceeding in any registration year twenty per cent".

AMENDMENT NUMBER THIRTY.

On page 46, line 16, of the printed bill as amended, after the period insert the following: "There shall be deducted from the sums which the division is allowed to expend hereunder such amount as may be allowed to said division in each calendar year under budget appropriation by the state legislature".

AMENDMENT NUMBER THIRTY-ONE.

On page 46, line 44, of the printed bill as amended, insert after the period the following:

"The board of supervisors of any county, or city and county, which is empowered by law to expend money for the construction of public highways outside of its corporate limits, may expend any portion of the amounts paid to the said county, or city and county, and deposited in the road fund thereof, as herein in this subdivision of this section directed, in and for the construction of public highways outside of its corporate limits; *provided, however,* that the construction thereof is authorized by ordinance of the board of supervisors of the county, or city and county, in which said highway is to be constructed. Where such authorization is given by ordinance, as herein provided, the board of supervisors of the county, or city and county desiring the said construction, may, through its own boards, officers or commissions expend the amounts herein authorized to be expended, or may, by ordinance of its board of supervisors, transfer said amounts to the account of the highway commission of the State of California and may by said ordinance specify and determine the route and type of construction of said highway, and the said amount thus transferred shall be expended by the said highway commission for the purpose specified and determined in said ordinance, and not otherwise."

AMENDMENT NUMBER THIRTY-TWO.

On page 47 of the printed bill as amended, strike out all of lines 35 to 52 inclusive, and on page 48 strike out all of lines one and two, and insert in lieu thereof the following:

"SEC. 157. Fines and forfeitures.

and All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this act, and starting a municipality for any fine or such person by any officer employed by a city, shall be paid within thirty days to the county treasurer of the county in which such city is situated. Such county treasurer shall immediately deposit such money in a fund to be known as the city's traffic fine fund.

Semi-annually on the first days of January and July of each year, the county treasurer shall make to the board of supervisors a report showing the amounts in such fund and the cities from which it was received, and the board of supervisors shall immediately thereupon pay to each such city the amount received following arrests by its officers during the previous six months. Such payments upon their receipt by such city shall be deposited in a special fund to be known as the good roads fund, which shall be used exclusively for the construction, maintenance and improvement of roads, bridges and culverts within the limits of said city along routes directly connecting inter-urban public highways entering said city.

No such payment shall be made to any city which shall not have made the semi-annual report to the board of supervisors before it is received until such report is made, nor to any city which shall have expended any portion of the money received by it under the provisions of this act in any manner other than in accordance with the provisions thereof. If such report be not made by any city within six months after the date or dates it is due, then such city's share of said cities' traffic fine fund, shall automatically be cut to such county and immediately be paid into the county treasury out of any other moneys then on hand by such city and shall be used by such county for the purposes specified in subsection (4) of this section.

Each city shall file a report verified by an officer of the city, to be designated so to do by the legislative body thereof, with the board of supervisors of the county in which it is situated within six months after the first day of January and of July of each year, showing the amount of money received by said city during the preceding six months and the disposition thereof specifying in detail the roads, bridges and culverts constructed, maintained or repaired, and the sums paid to each item thereof."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT, Your Special Committee of One, to which was referred Senate Bill No. 115, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print, and re-engrossment.

MOTION.

On motion of Senator Gates, the Secretary of the Senate was authorized to order the Governor's budget reprinted.

Motion carried.

ADJOURNMENT.

At three o'clock and thirty minutes p.m., on motion of Senator Gates, E. J., the President pro tempore declared the Senate adjourned until Monday, April 9, at 11 o'clock a. m.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Monday, April 9, 1923.

Pursuant to adjournment the Senate met at eleven o'clock a.m. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 6, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Carr was, on motion of Senator Canepa, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. M. Duncan of San Francisco and Mr. and Mrs. E. L. Cunningham of Ukiah.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Fred W. McConnell, city attorney of Healdsburg.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Leslie R. Hewitt of Los Angeles and Donald Conklin and Max Conklin of Tracy.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to G. G. Meese, assessor of Contra Costa County, and T. B. Swift, superintendent of the Mountain Copper Co., of Martinez.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1923, passed the following:

Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended;

Also: Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds;

Also: Assembly Bill No. 824 -An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 660 read first time, and referred to Committee on Education.

Assembly Bill No. 722 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 824 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1923, passed the following:

Assembly Bill No. 397.—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds;

Also: Assembly Bill No. 975.—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a Public School Teachers' Retirement Salary Fund, and also a Public School Teachers' Permanent Fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended;

Also: Assembly Bill No. 548.—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class;

Also: Assembly Bill No. 1086.—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 397 read first time and referred to Committee on Municipal Corporations.

Assembly Bill No. 975 read first time and referred to Committee on Education.

Assembly Bill No. 548 read first time and referred to Committee on County Government.

Assembly Bill No. 1086 read first time and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1923, passed the following:

Assembly Bill No. 18.—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park;

Also: Assembly Bill No. 34.—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled, "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended;

Also: Assembly Bill No. 182.—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921;

Also: Assembly Bill No. 316.—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 18 read first time and referred to Committee on Commerce and Navigation.

Assembly Bill No. 34 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 182 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 316 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1923, passed the following:

Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act;

Also: Senate Bill No. 463—An act to amend section 15½ of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended, relating to fish and game districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Bills Nos. 68 and 463 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1923, adopted the following:

Senate Concurrent Resolution No. 13—Relative to reports of the department encampment of the Grand Army of the Republic;

Also: Senate Concurrent Resolution No. 17—Relative to leave of absence of E. L. Dow from the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Concurrent Resolutions Nos. 13 and 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1923, adopted the following:

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Concurrent Resolution No. 13 ordered to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 6, 1923, adopted Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Constitutional Amendment No. 46 ordered to Committee on Constitutional Amendments.

Also:

JOURNAL OF THE SENATE, SENATE CHAMBER, APRIL 9, 1925.

MR. PRESIDENT, I am pleased to inform your committee that the Assembly approved, and on April 8, 1925, passed its approval, Senate Bill No. 228. As yet no amendments have been made to the bill, and it is now in the hands of the Senate. The bill is now in the hands of the Senate, and it is now in the hands of the Senate.

ARTHUR J. CHAMBERS, Chief Clerk
 By James E. Taylor, Assistant Clerk

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate met for the consideration of Assembly amendments to Senate Bill No. 228—As yet no amendments have been made to the bill, and it is now in the hands of the Senate. The bill is now in the hands of the Senate, and it is now in the hands of the Senate.

Assembly amendments to Senate Bill No. 228—As yet no amendments have been made to the bill, and it is now in the hands of the Senate. The bill is now in the hands of the Senate, and it is now in the hands of the Senate.

On page 4, line 14, of the original bill, delete the word "and" and insert the word "or".

Amendment to Senate Bill No. 228.

On page 4, line 14, of the original bill, delete the word "and" and insert the word "or".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 228?"

The bill was agreed, and Assembly amendments to Senate Bill No. 228 were considered in by the following vote:

Yea: Senators Allen, Briggs, Broad, Brown, Canning, Ferguson, Gifford, Lee, Smith, Tamm, Taylor, Thomas, Wilson, Wright, Young, Zerk, and others. Aye: 25.
 Nays: None.

Senate Bill No. 228 ordered to enrollment.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was read by and read:

ASSEMBLY CHAMBER, SACRAMENTO, APRIL 9, 1925.

MR. PRESIDENT, I am pleased to inform your committee that the Assembly approved, and on April 8, 1925, passed its approval, Senate Bill No. 228. As yet no amendments have been made to the bill, and it is now in the hands of the Senate. The bill is now in the hands of the Senate, and it is now in the hands of the Senate.

ARTHUR J. CHAMBERS, Chief Clerk
 By James E. Taylor, Assistant Clerk

Assembly Bill No. 228 read for the first time, and referred to Committee on Education.

REPORTS OF VARIOUS COMMITTEES

The following reports of standing committees were received and read:

ON SENATE AMENDMENTS

SENATE CHAMBER, SACRAMENTO, APRIL 9, 1925.

MR. PRESIDENT, I am pleased to inform your committee that the Assembly approved, and on April 8, 1925, passed its approval, Senate Bill No. 228. As yet no amendments have been made to the bill, and it is now in the hands of the Senate. The bill is now in the hands of the Senate, and it is now in the hands of the Senate.

reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Senate Bill No. 580 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 490—An act to amend sections 2845 and 2847 of the Political Code of the State of California, relating to toll bridges;

Also: Senate Bill No. 435—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class;

Also: Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points;

Also: Senate Bill No. 273—An act to provide for the better care of live stock in transit upon railroads in this State and limiting the number of cars in any one train that may be used for the purpose of transporting such live stock;

Also: Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates;

Also: Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, county of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County;

Also: Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies.

Also: Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind;

Also: Senate Bill No. 455—An act to amend section 5 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended;

Also: Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done thereon; to provide for

records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act, and reports that the same have been correctly re-engrossed.

—GATES, DR., Chairman.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the senate.

A. J. Haynes, Assistant Sergeant-at-Arms, ----- \$5 00 per day

Resolution read, and on motion of Senator Breed, adopted.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 344—An act to amend sections 1700 and 1701 of the Political Code of the State of California, relating to paying salaries of teachers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 345—An act to add a new section to the Political Code to be numbered 1608d, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 11, of the printed bill, after the semicolon following the word "act", insert the following: "provided, that such retirement salary shall in no case begin to accrue until the date when formal application for the same is received in the office of the public school teachers' retirement salary fund board" and a semicolon.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 11, of the printed bill, after the word "provided", insert the word "further".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 4, of the printed bill, after the semicolon following the word "years", insert the following: "*provided*, that such retirement salary shall in no case begin to accrue until the date when formal application for the same is received in the office of the public school teachers' retirement salary fund board" and a semicolon.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 4, of the printed bill, after the word "provided", insert the word "further".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the words "state or a California state teachers' credential, shall be equiv-" and insert in lieu thereof the words "that no service after August first, 1923, shall be so reckoned unless".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 378—An act to add a new section to the Political Code, to be numbered 1705, and to amend section 1734*b* of the Political Code, relating to public school teachers and to high school districts,

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 1 of the title of the printed bill, after the word "to", strike out the remainder of the line, and all of the second line of the title of the printed bill, down to, and including the word "to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 4 of the title of the printed bill, after the word "to", strike out the words "public school teachers and to".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out all of said line, and all of the remainder of said page, down to and including the word "schools", on line 19.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 20, of the printed bill, strike out the words "SEC. 2", and insert in lieu thereof, the words "SECTION 1."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, after the word "thirty-first", strike out the words "one thousand", and all of line 23, down to and including the words "twenty-one", and insert in lieu thereof the words "of each year".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 1, of the printed bill, strike out the words "common school districts" and insert in lieu thereof the words "elementary school districts or parts of joint elementary school districts."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 4, of the printed bill, after the word "such" strike out the words "common school districts" and insert in lieu thereof the words "elementary school districts or parts of joint elementary school districts."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 6, of the printed bill, after the word "particular", strike out the words "common school district" and insert in lieu thereof the words "elementary school district or part of joint elementary school district."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 6, of the printed bill, after the word "no" strike out the syllable "com-", and in line 7 strike out "mon school district", and insert in lieu thereof the words "elementary school district or part of joint elementary school district."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 10, of the printed bill, after the word "said", strike out the words "common school districts" and insert in lieu thereof the words "elementary school districts or parts of joint elementary school districts."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 11, of the printed bill, after the word "no", strike out the words "common school dis-" and in line 12 strike out the syllable "trict", and insert in lieu thereof the words "elementary school district or part of joint elementary school district."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 12, of the printed bill, after the word "such", strike out the word "common" and in line 13 strike out the words "school districts" and insert in lieu thereof the words "elementary school district or part of joint elementary school district."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 14, of the printed bill, strike out the word "that" and all the remainder of said line, and all of lines 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, and in line 25 down to and including the word "districts", and insert in lieu thereof the following matter: "that whenever elementary school districts or parts of joint elementary school districts have been annexed to a city or other high school district under this section, such elementary school district or parts of joint elementary school districts, or any of them, may at any time within two years from July 1, 1923, unite together or with other elementary school districts or parts of joint elementary school districts not in any high school district to form a union high school district in the manner provided by section one thousand seven hundred twenty-seven, or any such district may form a high school district under the provisions of section one thousand seven hundred twenty-five, as the case may be, and upon the formation of such union or other high school district and the opening of a high school therein such elementary school district or districts or parts of joint elementary school districts shall no longer be deemed to be a part of such city or other high school district; *and provided, further*, that whenever elementary school districts or parts of joint elementary school districts".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 36, of the printed bill, after the word "the", strike out the words "common school districts", and insert in lieu thereof the words "elementary school districts or parts of joint elementary school districts."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 38, of the printed bill, strike out the words "school district effected", and in lieu thereof insert the words "elementary school district or part of joint elementary school district affected".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 39, of the printed bill, after the word "or" insert the words "upon the filing of".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 52, of the printed bill, after the words "such district" insert the words "or part of joint district".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 3, of the printed bill, strike out the words "common school district", and insert in lieu thereof the words "elementary school district or part of joint elementary school district".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 5, of the printed bill, after the word "said" strike out the words "common school district" and insert in lieu thereof the words "elementary school district or part of joint elementary school district."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 6, of the printed bill, after the word "district" insert the words "or part of joint elementary school district."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 20, of the printed bill, after the word "district" insert the words "or part of joint elementary school district".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 24, of the printed bill, after the word "district", insert the words "or part of joint elementary school district".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 26, of the printed bill, after the word "district", insert the words "or part of joint elementary school district".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 311--An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 6, of the printed bill, strike out all of line 6 and insert in lieu thereof the following matter: "classes for pupils who would profit more from a course other".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after "ing" in the beginning of the line insert the words "joint districts" and a comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 8, beginning with line 10 of the printed bill, strike out the balance of page 8, all of page 9, all of page 10, and all of page 11 to and including the period after the word "canceled" in line 29.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 11, line 30, strike out the number "30" following the word "Sec." and insert in lieu thereof the following: "22".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 11, line 42, of the printed bill, strike out the figure "31" and insert in lieu thereof the number "23".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 12, line 24, of the printed bill, strike out after the word "Sec." the number "32" and insert in lieu thereof the number "24".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 13, line 1, of the printed bill, strike out after the word "Sec." the number "33" and insert in lieu thereof the number "25".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 13, line 6, after the word "Sec." strike out the number "34" and insert in lieu thereof the number "26".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 13, line 21, of the printed bill, after the word "Sec." strike out the number "35" and insert in lieu thereof the number "27".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 13, line 26, of the printed bill, strike out the word "after" and insert in lieu thereof the word "alter".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 13, line 31, of the printed bill, after the word "Sec." strike out the number "36" and insert in lieu thereof the number "28".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 13, line 38, of the printed bill, after the word "Sec." strike out the number "37" and insert in lieu thereof the number "29".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 13, line 42, of the printed bill, after the word "Sec." strike out the number "38" and insert in lieu thereof the number "30".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 13, line 49, of the printed bill, after the word "Sec." strike out the number "39" and insert in lieu thereof the number "31".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 14, line 1, of the printed bill, after the word "Sec." strike out the number "40" and insert in lieu thereof the number "32".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 14, line 17, of the printed bill, after the word "Sec." strike out the number "41" and insert in lieu thereof the number "33".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 14, line 23, of the printed bill, after the word "Sec." strike out the number "42" and insert in lieu thereof the number "34".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 14, line 29, of the printed bill, after the word "Sec." strike out the number "43" and insert in lieu thereof the number "35".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 14, line 39, of the printed bill, after the word "Sec." strike out the number "44" and insert in lieu thereof the number "36".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 2—An act to provide for the appropriation of certain submerged lands, lying along the water front of the city and county of San Francisco for aquatic sports.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of the act after the enacting clause and insert in lieu thereof the following:

"SECTION 1. There is hereby granted and conveyed to the city and county of San Francisco all the right, title and interest of the State of California held by said state by virtue of its sovereignty, in and to all the lands situated in the said city and county of San Francisco and particularly described as follows: Beginning at the point of intersection of the center line of Polk street with the center line of Tonquin street; running thence easterly along said center line of Tonquin street to the westerly line of Larkin street; thence at a right angle southerly along said westerly line of Larkin street to the northerly line of Jefferson street; thence easterly along said northerly line of Jefferson street to the westerly line of Hyde street; thence northerly along said westerly line of Hyde street to the southerly line of the Embarcadero; thence northwesterly along said southerly line of the Embarcadero to its intersection with the center line of Polk street; thence southerly along the center line of Polk street to the point of beginning.

SEC. 2. The said city and county shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development and maintenance of said park, so far as the same may be consistent with this act; *provided, however*, that structures erected thereon shall not interfere in any way with the operation of any ferry existing at the time this act takes effect.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the city and county of San Francisco, of the land herein granted or any part thereof, but the said city and county shall continue to hold said lands and the whole thereof, unless the same revert to the State of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill strike out all of lines 14 and 15, also all of line 1, 2, 3, 4, and 5, on page 2.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 35, of the printed bill, after the semicolon insert the following: "and to levy assessments therefor;"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that no expulsion shall be effective beyond the end of the school year in which such expulsion takes place, and that suspensions may be for a period not to exceed thirty days."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of subdivision *Fourth*, lines 15 to 22, and insert in lieu thereof the following matter:

"*Fourth*—To permit children residing in other districts to attend their schools; provided, that should they, or the board of the district wherein the pupils reside, protest such attendance, such protest shall be presented to the superintendent of schools of the county who shall decide the matter, and whose decision shall be final and binding on both boards of trustees."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 47, of the printed bill, beginning with the word "such", strike out all reading matter down to and including the word "transferred" and the period in line 50.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 562—An act to amend an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policy holders of recourse against stockholders of such corporations," approved May 31, 1917, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the word "amend" in line 1 of the title of the printed bill, and in lieu thereof insert the following: "the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the enacting clause, insert the following:

"SECTION 1. A new section is hereby added to the Civil Code to be numbered 2769 and to read as follows:

2769. The proceeds of every policy of insurance due on the death of insured shall by the insurer be paid either to the beneficiary designated therein, or, if no beneficiary is designated therein, to the estate of insured; or, if the policy has been assigned, to the assignee thereof; and such payment shall satisfy all obligations of the insurer with respect to said policy."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the judicial department.

Senate Constitutional Amendment No. 25 read.

COMMITTEE AMENDMENT.

During the reading of the constitutional amendment, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of the printed bill after the word "to" in the third line of the title, and insert in lieu thereof the following: "the constitution of the State of California, by amending sections one, five, eleven, twelve, fourteen, eighteen, twenty-three and twenty-four of article six thereof, relating to the judicial department, and providing for the establishment of municipal courts.

The legislature of the State of California, at its regular session commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby propose that sections one, five, eleven, twelve, fourteen, eighteen, twenty-three and twenty-four of article six of the constitution of the State of California be amended to read as follows:

SECTION 1. The judicial power of the state shall be vested in the senate, sitting as a court of impeachment, in a supreme court, district courts of appeal, superior

courts, such municipal courts as may be established in any city or city and county, and such inferior courts as the legislature may establish in any incorporated city or town, township, county or city and county.

SEC. 5. The superior courts shall have original jurisdiction in all cases in equity and in all cases at law, which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases, except as hereinafter provided, in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars, and in all criminal cases amounting to a felony, and in all cases of misdemeanor not otherwise provided for; of actions for forcible or unlawful entry or detainer, except as otherwise provided in this article; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate; of divorce and for annulment of marriage; and of all such special cases and proceedings as are not otherwise provided for; and said courts shall have the power of naturalization, and to issue papers therefor.

The superior court of any city and county in which there is a municipal court, and the superior court of any county wherein is located any city or cities having a municipal court, shall have such appellate jurisdiction on appeal in cases arising in any such municipal court and in such inferior courts as may be prescribed by law. The legislature may provide for the establishment of appellate departments of the superior court in any county or city and county wherein any municipal court is established, and for the constitution, regulation, jurisdiction, government and procedure of such appellate departments, and for the hearing and determination by district courts of appeal of causes in which judgment has been rendered by the superior court or an appellate department thereof; *provided, however*, that the appellate jurisdiction of appellate departments of the superior court and of district courts of appeal shall not extend to the hearing and determination of actions at law in which the demand, exclusive of interest, is less than three hundred dollars, nor to actions of forcible or unlawful entry or detainer when the rental value is twenty-five dollars or less per month, and in which the whole amount of damages claimed is two hundred dollars or less. Superior courts and municipal courts shall always be open, legal holidays and non-judicial days excepted. The process of superior courts shall extend to all parts of the state; *provided*, that all actions for the recovery of the possession of, quieting the title to, or for the enforcement of liens upon real estate, shall be commenced in the county in which the real estate, or any part thereof, affected by such action or actions, is situated. Said superior courts, and their judges, shall have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus on petition by or on behalf of any person in actual custody, in their respective counties. Injunctions and writs of prohibition may be issued and served on legal holidays and non-judicial days. The process of any municipal court shall extend to all parts of the county or city and county in which the city is situated where such court is established, and to such other parts of the state as may be provided by law, and such process may be executed or enforced in such manner as the legislature shall provide.

SEC. 11. In any city and county and in any city which is governed under a charter framed and adopted under the authority of this constitution, a municipal court may be established as hereinafter provided. For each such municipal court at least one judge shall be elected by the qualified electors of the city or city and county at the general municipal election, and such additional judges as shall be determined by the legislature. In any city, or city and county, in which there shall be more than one judge of a municipal court, the judges of such court may hold as many sessions of such court at the same time as there are judges thereof, and the business thereof shall be apportioned among the judges thereof in the manner prescribed by law. Municipal courts shall have original jurisdiction, except as hereinafter provided, in all cases of law in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one thousand dollars or less, and of actions of forcible or unlawful entry or detainer where the rental value is one hundred dollars or less per month, and where the whole amount of damages claimed is one thousand dollars or less, and in cases to enforce and foreclose liens on personal property where the amount of such liens or the value of the property is one thousand dollars or less, and in all criminal cases amounting to misdemeanor punishable by fine and imprisonment in the city or city and county or county jail, or punishable by fine or such imprisonment. The legislature may, however, provide for the establishment of courts inferior to municipal courts in cities and counties where municipal courts are established; *provided, however*, that the jurisdiction of such inferior courts shall not extend to cases in which the claim or demand is more than fifty dollars.

The legislature shall determine the number of each of the inferior courts in incorporated towns, and in townships or counties, or in incorporated cities or cities and counties, where there is no municipal court, according to the population thereof, and the number of judges or justices thereof, and shall fix by law the powers, jurisdiction, duties and responsibilities of each of such inferior courts and of the judges or justices thereof, and until such inferior courts are otherwise so determined and provided for, such inferior courts now existing shall, until otherwise provided by law, continue in all respects as established at the time of the adoption of this amendment; *provided*, that the powers of such inferior courts shall not in any case

trench upon the jurisdiction of the several courts of record, except that the legislature shall provide that said courts shall have concurrent jurisdiction with the superior courts in cases of forcible or unlawful entry or detainer, when the rental value does not exceed twenty-five dollars per month, and where the whole amount of damages claimed does not exceed two hundred dollars, and in cases to enforce and foreclose liens on personal property when neither the amount of liens nor the value of the property amounts to three hundred dollars.

The legislature shall provide by general law for the constitution, regulation, government and procedure of municipal courts, and for the jurisdiction thereof except in the particulars otherwise specified in this section, and for the establishment of municipal courts in cities or cities and counties governed under charters framed and adopted under the authority of this constitution. Upon the taking effect of such general law, a municipal court may be established in any such city or city and county whenever the charter thereof or amendment to such charter shall provide that there shall be a municipal court therein, or whenever the assent of a majority of the qualified electors of such city or city and county voting upon the question of the establishment of such municipal court, and expressed in such manner and form as the legislature shall by general law prescribe, is given to the establishment thereof. The manner in which, the time at which, the term for which the judges, clerks and other attaches of municipal courts shall be elected or appointed, the number and qualifications of said judges and of the clerks and other attaches, except as such matters are otherwise provided in this article, shall be prescribed by the legislature. The compensation of the justices or judges of all courts of record, shall be fixed and the payment thereof prescribed by the legislature.

In any city or in any city and county where such municipal court has been established, and in townships situated in whole or in part in such city or city and county, there shall be no other court inferior to the superior court except as herein provided; and pending actions, trials, and all pending business of inferior courts within such city or city and county or township, upon the establishment of any such municipal court, shall, unless otherwise provided by law, be transferred to and become pending in such municipal court, and all records of such inferior courts be transferred to and thereafter be and become records of such municipal court.

Upon the establishment of any such municipal court, and until the first election and the qualification of the judge or judges thereof and the first appointment and the qualification of the clerks and other attaches thereof, the judges or justices and the clerks and other attaches of any existing inferior courts in such city or city and county or township shall become an act as the judges, clerks and attaches respectively of such municipal court.

SEC. 12. The supreme court, the district courts of appeal, the superior courts, the municipal courts, and such other courts as the legislature shall prescribe, shall be courts of record.

SEC. 14. The county clerks shall be ex-officio clerks of the courts of record, other than municipal courts, in and for their respective counties or cities and counties. The legislature may also provide for the appointment, by the several superior courts, of one or more commissioners in their respective counties, or cities and counties, with authority to perform chamber business of the judges of the superior courts, to take depositions, and to perform such other business connected with the administration of justice as may be prescribed by law.

SEC. 18. The justices of the supreme court, and of the district courts of appeal, and the judges of the superior courts and of the municipal courts shall be ineligible to any other office or public employment during the term for which they shall have been elected or appointed, and no justice or judge of a court of record shall practice law in any court of the state during his continuance in office.

SEC. 23. No person shall be eligible to the office of a justice of the supreme court, or of a district court of appeal, or of a judge of a superior court, or of a municipal court, unless he shall have been admitted to practice before the supreme court of the state for a period of at least five years immediately preceding his election or appointment to such office.

SEC. 24. No justice of the supreme court nor of a district court of appeal, nor any judge of a superior court nor of a municipal court shall draw or receive any monthly salary unless he shall make and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court remains pending and undetermined that has been submitted for decision for a period of ninety days. In the determination of causes all decisions of the supreme court and of the district courts of appeal shall be given in writing, and the grounds of the decision shall be stated."

Amendment adopted.

Senate Constitutional Amendment No. 25 ordered to print, engrossment, and on file.

Senate Joint Resolution No. 18—Relative to needy Indians within the State of California.

Senate Joint Resolution No. 18 read.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 20 to 24, both inclusive, and in lieu thereof insert the following:

"Whereas, The national government has failed to fully compensate them for their rights in or to land and to provide for them educationally; and"

Amendment adopted.

Senate Joint Resolution No. 18 ordered to print, engrossment, and on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 405 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

On motion of Senator Hurley Senate Bill No. 494 was passed on file.

Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 235 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 248. An act to amend sections 7, 8, and 8a, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof", approved March 6, 1907, as amended, and to add two new sections thereto to be known as section 5 "a" and section 8 "h".

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 24, passed by the following vote:

[illegible]

1. E. 1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bribe or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

On motion of Senator Breed, Senate Bill No. 115 was passed on the

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26 and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On April 11, of Senator Lyon, Senate Bill No. 200 was passed on the

Senate Bill No. 103—An act declaring the existing public highway in Inyo County (extending from the north) end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on the

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling at retail,"

drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

On motion of Senator Murphy, Senate Bill No. 590 was passed on file.

Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 592 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. E., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869a, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary against the grantee or grantees of the person so designated "trustee" or "as trustee."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 63 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation.

On motion of Senator Sharkey, Senate Bill No. 184 was passed on file.

Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

On motion of Senator Ingram, Senate Bill No. 96 was passed on file.

Senate Bill No. 215—An act to amend section 626/ of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Powers, Sharkey, Slater, Swing, and West 27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

On motion of Senator Sample, Senate Bill No. 361 was passed on file.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

On motion of Senator Breed, Senate Bill No. 436 was passed on file.

Senate Bill No. 507—An act to amend section 626_m of the Penal Code, relating to the protection of game.

On motion of Senator Sample, Senate Bill No. 507 was re-referred to Committee on Fish and Game.

Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

On motion of Senator Sharkey, Senate Bill No. 471 was passed on file.

Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls.

On motion of Senator Canepa, Senate Bill No. 413 was passed on file.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

On motion of Senator Gray, Senate Bill No. 126 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 13.

A resolution to propose to the people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections.

The Legislature of the State of California at its regular session, commencing on the eighth day of January, 1923, two-thirds of the members elected to each of the two houses of the State Legislature voting in favor thereof, hereby proposes to the people of the State of California to amend section 13 of article XX of the constitution of said State to read as follows:

Sec. 13. A plurality of the votes given at any election shall constitute a choice where not otherwise directed in this constitution; *provided*, that it shall be competent in all charters of cities, counties, or cities and counties framed under the authority of this constitution, and likewise competent for the Legislature, for municipalities and counties organized under general laws, to prescribe the manner, method and system by which their respective officers may be voted for and their election determined, such as a system of voting and counting whereby the voters may indicate their preferences, and have such preferential votes counted in accordance with the value specified by such system; or a system of voting, counting and valuing votes, whereby

various groups or parties may secure the election of representatives to the legislative bodies of their respective municipalities or counties in the proportion that the number of adherents to such groups or parties bears to the whole number of voters.

Senate Constitutional Amendment No. 13 read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 13 adopted by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and Swing—32.

NOES—Senators Allen, Chamberlin, McDonald, Sharkey, and West—5.

Senate Constitutional Amendment No. 13 ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey Senate Constitutional Amendment No. 10 was passed on file.

Senate Constitutional Amendment No. 26—Relative to the recall of public officers.

On motion of Senator Allen, Senate Constitutional Amendment No. 26 was passed on file.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the

uses of said funds." approved June 16, 1913, by amending section 5 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 458 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and all acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 490—An act to amend an act entitled "An act providing for the joint exercise of powers by counties, by municipalities or by municipalities and counties," approved May 20, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 490 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram,

Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Rush, Sample, Sharkey, Slater, Swing, and West—31.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 135 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 273—An act to provide for the better care of live stock in transit upon railroads in this State and limiting the number of cars in any one train that may be used for the purpose of transporting such live stock.

On motion of Senator Powers, Senate Bill No. 273 was passed on file.

Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates.

On motion of Senator Allen, Senate Bill No. 283 was passed on file.

Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, county of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 625 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 90 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canapa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Harley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 74 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canapa, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Harley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 455—An act to amend sections 5 and 7 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 455 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canapa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Harley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—Senator McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1277—An act validating toll bridge franchises for terms expressly limited to not exceeding thirty years heretofore granted by boards of supervisors of the several counties of the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, commencing with the word validating in line 1 of the title, strike out all down to and including the period after the word California in line 3 of the title, and in lieu thereof insert the following: "to amend section two thousand eight hundred seventy-two of the Political Code, relating to toll-bridges."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, commencing with the word all, strike out all down to and including the period after the word valid, in line 10, and in lieu thereof insert the following: "Section two thousand eight hundred seventy-two of the Political Code is hereby amended to read as follows:

2872. If the board are of the opinion that the public interests will be promoted thereby, it may, by the assent of a majority of all the members of the board, grant the application by an order entered in its minutes, and particularly describing the bridge. The applicant must cause a certified copy of the order, with a copy of the application, to be recorded in the office of the clerk of the county before proceeding under it. All licenses and franchises granted subsequent to the fourteenth day of March A.D. one thousand eight hundred eighty-one for the construction of any such bridges across the Sacramento or San Joaquin rivers, the Suisun Bay, or Carquinez straits, the Petaluma, Napa or Sonoma creeks, whether above or below the head of navigation of said waters or streams, are hereby ratified, approved, confirmed and made valid for all purposes; *provided, however*, that nothing herein contained shall be construed to extend the term of any such license or franchise beyond the period fixed in the order granting the same, or to revive any license or franchise which has lapsed for non-user, or to restore any license or franchise which has been forfeited."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the period and in lieu thereof insert the following: ", including the study of American institutions and ideals".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, after the period add the following: "No pupil shall receive a certificate of graduation from any such school unless he has satisfactorily passed an examination on the provisions and principles of the United States constitution".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 13 beginning with the word "All" and line 14, and in lieu thereof insert the following:

"All persons granted regular certificates authorizing them to teach in the public schools of this state, shall, in addition to existing requirements, be required to pass a satisfactory examination upon the provisions and principles of the constitution of the United States and of this state, or complete a course therein in a teachers' training institution in the State of California, *provided* that a limited certificate, not exceeding one year in term, may be granted without the passing of such examination on the completion of such course.

SEC. 4. The wilful neglect or failure on the part of any superintendent, principal or teacher, to observe and carry out the requirements of this act, shall be sufficient cause for the dismissal or removal of such party from his or her position.

SEC. 5. It shall be the duty of the superintendent of public instruction to make arrangements for carrying out the provisions of this act and prescribe a list of suitable texts adapted to the needs of the school and college grades, as specified in this act.

SEC. 6. All acts or parts of acts inconsistent herewith are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "held" at the end of the line, insert the following, "in election booths, election tents, or".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, of the printed bill, beginning with the word "Creation" strike out balance of line 8 and all of line 9 including and ending with the period after the figure 1.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, strike out the figure 2 and also the period.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the figure 3 and also the period.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, strike out the words "Examination of voting machine."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 45, of the printed bill, strike out the words "Requirements of voting machines."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 52, of the printed bill, after the word "candidates" insert the following: "at primary elections".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 2, of the printed bill, after the word "thereto" strike out the period and insert in lieu thereof a comma and the following: "and for general elections shall conform as nearly as practicable to the form of ballot provided for in section one thousand one hundred ninety-seven of the Political Code. No voting machine shall be approved except such as provides in the general election, for grouping, under the name of the office to be voted on, all the candidates for such office with the designation of the parties, if any, by which they were respectively nominated."

Amendment adopted.

AMENDMENT NUMBER SEVEN a.

On page 3, line 35, of the printed bill, before the semicolon insert a comma and the words "and similarly may be provided with one device for each party for voting, at the May presidential primary election, by one operation for such groups of candidates to national conventions as may be voted for as a group according to the provisions of the presidential primary act".

Amendment adopted.

AMENDMENT NUMBER SEVEN b.

On page 3, line 37, of the printed bill, after the word "candidates" insert the words "for delegates to a national convention or".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 39, of the printed bill, after the word "party" strike out the period and insert in lieu thereof a comma and the following: "*and provided further that no straight party voting device shall be used except for delegates to a national convention or for presidential electors as set forth herein. Voting machines shall provide for the same order of the list of candidates for any office as is provided for in section one thousand one hundred ninety-seven of the Political Code.*"

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 40, of the printed bill, strike out the words "Adoption of voting machines."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 15, of the printed bill, strike out the words "Experimental use of voting machines."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 22, of the printed bill, strike out the words "Payment for machines."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 34, of the printed bill, strike out the words "Ballot labels."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 44, of the printed bill, strike out the words "Sample ballots."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 6, of the printed bill, strike out the words "Number of official ballots."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 11, of the printed bill, strike out the words "Preparation of voting machines for election."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 24, of the printed bill, strike out the words "Instruction of election officers."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 46, of the printed bill, strike out the words "Delivery of election supplies and keys."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 13, of the printed bill, strike out the words "Statement of the result of the vote cast."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 7, line 31, of the printed bill, strike out the words "Opening the polls."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 8, line 7, of the printed bill, strike out the words "Irregular ballots."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 32, of the printed bill, strike out the words "Location of machines."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 43, of the printed bill, strike out the words "Conducting the election."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 4, of the printed bill, strike out the words "Canvass of vote."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 10, line 8, of the printed bill, strike out the brackets and words "Locking machine."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, line 18, of the printed bill, strike out the words "Disposition of keys."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 36, of the printed bill, strike out the words "Provision for recanvass of vote."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 45, of the printed bill, strike out the words "Number of voters in election districts."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 11, line 6, of the printed bill, strike out the words "Application of other articles and penal law. All the provisions of the general and," and insert in lieu thereof the words "All the provisions of the Political Code, the Penal Code, and the general laws relating to elections, of the".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 11, line 34, of the printed bill, strike out the word "Definitions."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 205—An act to amend section 1739a of the Political Code, relating to high school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the congress of the United States known as the "Sheppard-Towner" Act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Bill read second time, and ordered on file for third reading.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Joseph A. Beek, Secretary of the Senate, at the desk.

COMMUNICATION.

The following communication was offered by Senator Powers and ordered printed in the Journal:

CALIFORNIA HIGHWAY COMMISSION,
SACRAMENTO, April 5, 1923.

Hon. Frank Powers,
Chairman Road Committee,
State Senate, Sacramento, California.

MY DEAR SENATOR: I am taking the opportunity to outline to you by letter the policy of the California Highway Commission relative to the bills in the Senate and Assembly, providing for the inclusion of county roads in the highway system wherein no provision is made for future maintenance.

Under the circumstances existing at this time, the commission feels that it would be an injustice both to the State and to the county to write these bills into the law. The commission at the present time is overburdened with the mileage of roads far beyond its financial ability to care for, and as a consequence of this, many roads heretofore placed in the highway system by special legislative act have in reality become "orphan" roads. The boards of supervisors of counties cannot care for these roads through lack of authority nor can the Highway Commission care for them through financial inability, consequently the roads are in worse condition and less use to the public than had they remained in the county system of roadways.

The commission wishes to be understood as not having any particular road in mind in outlining its policy. No doubt, convincing arguments may be advanced why any road should be made a State highway, but the equally convincing argument is made that if these roads are written into the State highway system, it will be absolutely impossible to give them even the care they are now receiving from boards of supervisors. Therefore, the commission feels itself justified in making known, through you, its policy at the present time.

Yours very truly,

CALIFORNIA HIGHWAY COMMISSION.
By W. F. MIXON, Secretary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and

sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a -has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership -9; committee vote: Ayes -6; absent-3.

WEST, Chairman.

Senate Bill No. 293 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease.

Assembly Bill No. 112 passed on file.

SENATOR M. B. JOHNSON IN THE CHAIR.

At three o'clock and three minutes p.m., Senator Johnson, M. B., of the eleventh district was called to the chair.

Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff.

Assembly Bill No. 1169 passed on file.

Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State.

Assembly Bill No. 322 passed on file.

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

Assembly Bill No. 86 passed on file.

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Assembly Bill No. 85 passed on file.

Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 257 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—29.

NOES—Senators Chamberlin, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Arbuckle gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 257 was passed.

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

Assembly Bill No. 250 passed on file.

Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 290 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 352 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rush, Sample, Sharkey, and Slater—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

Assembly Bill No. 1213 passed on file.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 191 to Senator Gates, E. J., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 34, of the printed bill as amended, strike out the words "ninety days" and insert in lieu thereof the words "six months".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 191, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, E. J., Special Committee.

Report read, and on motion of Senator Breed, adopted.

Bill ordered to print, and re-engrossment.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Members of the Senate and Assembly.

A budget was presented to you on February first in compliance with the constitutional amendment adopted by the people at the last election. It gave you a complete statement of all proposed expenditures for the ensuing biennial period, and an estimate of the revenues.

This budget was the only complete and comprehensive one ever prepared in this State. It contained full details and many items where former so-called budgets contained but one or two items for a department. The presentation of this detail gave full and valuable information to you and to the people.

During the past few weeks you have held hearings where all persons interested have been permitted to appear and offer suggestions. At the same time many hearings have been held by me and many others by the State Board of Control. At your hearings members of the State Board of Control have been present to explain the budget. The result of all of these hearings has been to furnish information regarding State finance, to show the people the need of economy, and to prove that extravagance has been in vogue for many years.

Now that these hearings are over and all the suggestions offered have been considered, it is apparent that the new budget plan is a wise one; that the budget itself is fundamentally sound; that it has provided liberally for the various State institutions; that a few minor changes will place it above honest criticism; that the State must and can live within its income; and that the adoption of the budget suggestions will save the people millions of dollars.

It has been found possible to strike out items in the budget aggregating \$1,272,820. An item of rent was duplicated, the burning of the Women's Home at Sonoma makes a support appropriation unnecessary, vocational rehabilitation support ends with the ensuing fiscal year, support for the Norwalk and Mendocino State hospitals and elementary and secondary schools was overestimated, and a reduction in the Department of Architecture was found possible.

It has been found necessary to revise a number of items in the budget. The Civil Service Commission has been given an increase which will make it possible for that body to function efficiently. As a staunch believer in civil service, I am anxious to preserve this beneficent principle of government. I am strongly opposed to the attempt in certain quarters to return to the old spoils system. The Board of Health has been given an increase in order to take care of certain necessary humane functions. This board now has a very liberal allowance and will be required to run economically.

The Industrial Welfare Commission has been given enough to conduct its affairs efficiently, if economy is practiced and political hangers on are eliminated.

The State Harbor Commission has been given a large increase for salaries and support. It is my desire that this commission be allowed to expend the revenues of the harbor for support, improvements and bond settlement. The appropriation must be within the estimated revenue or else the general fund will be taxed. While this commission is self-sustaining it must be run economically, as the people in the final analysis pay the tax to support the harbor.

The probable passage of a bill adding new duties to the Real Estate Commission makes it necessary to increase that appropriation.

Forestry has been given an increase in order to provide fire lookouts, maintenance of Humboldt Redwood Park, and the State Nursery. The Redwood Park Commission at Boulder Creek has been given a necessary increase. The Department of Agriculture has been given an increase in order to provide better control of pests and more aid for farming interests.

An increase has been given the teachers' colleges which is ample. It is naturally difficult for some of the persons connected with these institutions to forget the past era of reckless extravagance and to adjust themselves to the economy program desired by the people. These colleges must be conducted on a more conservative basis if they expect to continue in public favor. I believe the heads of these colleges recognize the necessity for retrenchment and will cooperate to give the budget a fair trial.

The California School for the Deaf and Blind has been sadly neglected during the past few years. Strange to say, even in the reckless spending days of 1921, this fine humanitarian institution was not adequately provided for. This neglect should be explained by those responsible. I have made provision for books, repairs, and a new building.

The State Library has for years had my active interest. It contains one of the greatest collections of books in the world. I have been during the past few years, one of its best patrons. In order that the gathering together of valuable books may continue I have given this department an increase for purchasing books.

The preservation of fish and game is vital to the State. This work must be continued. The revenues will be expended for the purposes intended, but they will be expended economically and under close supervision. The money put up by hunters and fishers must not be wasted.

A close examination of the buildings of the State has been made during the past few weeks by members of the State Board of Control and provision has been made for repairs.

Recommendations were made to you in my budget message regarding the State Board of Charities and Corrections, the Immigration and Housing Commission, the State Mining Bureau, and the Building and Loan Commission, and bills are before you to carry out these recommendations. If the bills are adopted changes in the budget will not be necessary, but if the bills are not adopted, then I will propose changes in the budget to provide for these agencies.

My recommendations regarding the California Polytechnic School at San Luis Obispo are before you for your consideration and I have nothing further to add at this time.

In closing I want to assure you that no State function will be permitted to suffer because of inadequate support. The budget recommendations are in my opinion adequate to meet all legitimate needs. Should any so-called self-supporting agency during the ensuing biennium show a need for funds in excess of the allowance, the State Board of Control will provide such additional support as may be found necessary, not to exceed the revenues of that agency. In order that no State function may be hampered a large emergency appropriation has been placed in the budget.

Enclosed herewith are proposed amendments to the budget to cover the suggestions made above. These are presented to you for your consideration. The proposed changes make a net increase of \$450,500.00 and set the total of the budget at \$79,425,188.55.

The following are the changes proposed:

Original Budget.....	\$78,974,628 55
Decreases	1,272,820 00
	\$77,701,808 55
Increases	1,723,380 00
Total.....	\$79,425,188 55

ITEMS OF DECREASE.

Department of Finance, rent.....	\$294,700 00
Industrial Farm for Women.....	41,570 00
Department of Architecture.....	56,500 00
Elementary and secondary schools.....	600,000 00
Vocational rehabilitation.....	35,000 00
First District Court of Appeal.....	50 00
Mendocino State Hospital.....	18,000 00
Norwalk State Hospital.....	16,000 00
Harbor Commission, interest.....	211,000 00
	\$1,272,820 00

ITEMS OF INCREASE.

Salaries, superior judges	\$10,000 00
Department of Finance	15,000 00
Supreme Court	9,000 00
Bar Examiners	5,800 00
Civil Service Commission	24,650 00
Secretary of State	3,400 00
State Controller	4,200 00
Board of Equalization	5,000 00
Medical Examiners	10,000 00
Board of Health	40,000 00
Board of Chiropractors	7,000 00
Board of Osteopathy	2,000 00
Board of Optometry	1,200 00
Industrial Welfare Commission	25,000 00
San Francisco Harbor Commission	211,000 00
Insurance Commissioner	20,000 00
Board of Architecture, Southern Division	840 00
Real Estate Commission	60,000 00
Corporation Department	1,500 00
California School for Girls	21,100 00
Preston School of Industry	18,000 00
Whittier State School	26,000 00
Norwalk State Hospital	\$18,000 00
Sonoma State Home	67,500 00
Advisory Pardon Board	5,000 00
Criminal Identification Bureau	15,000 00
Board of Forestry	40,000 00
Redwood Park Commission	10,000 00
Redwood Park, purchase of land	30,000 00
Sixth District Agricultural Board	13,800 00
Department of Agriculture	79,005 00
Surveyor General	1,500 00
Fish and Game Commission	120,000 00
Chico Teachers College	30,000 00
Fresno Teachers College	50,000 00
San Diego Teachers College	71,000 00
Humboldt Teachers College	21,275 00
San Jose Teachers College	60,000 00
Santa Barbara Teachers College	30,000 00
San Francisco Teachers College	50,000 00
California School for Deaf and Blind	110,000 00
State Library, books	20,000 00
Rent, State offices	5,000 00
Smith-Hughes Vocational Education	355,000 00

 \$1,723,380 00

Respectfully submitted.

 FRIEND WM. RICHARDSON,
 Governor of the State of California.

April 9, 1923.

On motion of Senator Breed, the Governor's message was referred to Committee on Finance.

ADJOURNMENT.

At three o'clock and fifty-five minutes p.m., on motion of Senator Breed, Senator Johnson, M. B., declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, April 10, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 9, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. T. B. Swift of Martinez.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Vanderneilen of Oakland, Mr. Higgins, Mr. Harris, and Mr. Sommers of San Francisco, I. L. Borden of Alameda and Judge Chas. W. Slack of San Francisco.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Frank L. Nolan, well known drayman of San Francisco, and Helene J. Schaeffle of San Francisco.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Edwin T. Keiser, Real Estate Commissioner.

On request of Senator Gates, Dr., the privilege of the floor of the Senate Chamber for the day was unanimously extended to R. Leo Van der Naillen, W. Gardner, and I. L. Borden of San Francisco, N. Cleveland of Sacramento, Fred Estep of Jenny Lind, Frank Griffin and Judge Slack of San Francisco, Mrs. Gray, county school superintendent of Sutter County, Mrs. Littlejohn of Yuba City, and Ed. Lewis of Marysville.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Speich of Sacramento.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the civics class of the eighth grade of Bret Harte school, Franklin boulevard, Sacramento:

Teacher, Mrs. E. Y. Rader. Pupils Elizabeth Buck, Agnace Hillman, Juanita Sharp, Dolores Dohringer, Ursula Wackford, Juliet Baltus, Marie Heisel, Agnes Moulton, Freda Wood, Gordon Wallace, Robert Eldridge, Robert Pimley, and George Buck.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Senator Inman:

Resolution adopted by the people of the town of Folsom and vicinity assembled on April 9, 1923:

WHEREAS, There has been introduced into the Senate of the State of California Senate Bill No. 454, purporting to regulate the gold dredging industry, but which bill, in effect, will prohibit the prosecution of said industry in the county of Sacramento; and

WHEREAS, The Natomas Company of California is the only gold dredging company operating in Sacramento County and the passage of the bill will mean the ruin of the said company; and

WHEREAS, The said Natomas Company of California in addition to its said gold dredging has planted over 1000 acres of land in the vicinity of the town of Folsom to orchards and has installed a large irrigation system for the purpose of irrigating said lands and other lands; and is continuing to plant said orchards as a development of said irrigation system in and about the said town; and

WHEREAS, The prosecution of said industries in and about the said town and including the said industry of gold dredging is of inestimable benefit to the said town and to the inhabitants thereof, and the planting and cultivation of said orchards and the development of said water system will make for the permanent growth and prosperity of this community; and

WHEREAS, The passage of said proposed bill would mean the cessation of all the said industries and a great loss to this community and the people thereof; and, now therefore, be it

Resolved, By the inhabitants of the said town of Folsom and vicinity that in our opinion the passage of said Senate Bill No. 454 is detrimental to the interests of our community and to the county of Sacramento and to the State of California and that as public spirited citizens of said State and residents of said community we do hereby protest against the passage of said bill and the resulting destruction of a great business enterprise upon which is based the future prosperity of this community; and, be it further

Resolved, That we do hereby respectfully call the attention of the State Senate to the effect of this bill upon our community and do request our representative in the Senate and the said Senate as a body to reject this bill.

R. J. RANCHIE, Chairman,
And 462 others.

Also:

ORANGEVALE, FOLSOM, April 10, 1923.

Senator J. M. Inman,
Sacramento, California.

DEAR SIR: Orangevale Grange No. 354 has been watching progress on Senate Bill No. 454 (Inman) and Senate Bill No. 300 (Arbuckle) which were endorsed by us. We appreciate your excellent work and assure you our hearty support for both bills should they pass.

Yours very truly,

WARREN M. MORSE,
Master Orangevale Grange No. 354.

By Senator McDonald:

I favor the New Pension Law as presented by the San Francisco Teachers' Association, and endorsed by the Legislative Committee of the California Teachers' Association—Senate Bill No. 127.

HATTIE GOWER PIERCE,
And 28 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 423—An act relating to the control and eradication of contagious and infectious diseases among domestic live stock; relating to the procedure in effectively coping with emergencies as they arise, and providing an appropriation to carry out the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 423 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Assembly Bill No. 733 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Assembly Bill No. 734 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 880—An act to provide authority to any county in California to cooperate with the United States Department of Agriculture and the California Department of Agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter 714, Statutes 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Assembly Bill No. 880 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Assembly Bill No. 182 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 838—An act to amend section 2319j of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the

Political Code, relating to the shipment of nursery stock—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.
Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Assembly Bill No. 838 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 35 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 488—An act to amend sections 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i and 2322j of the Political Code, relating to agriculture—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

BOGGS, Chairman.

Senate Bill No. 488 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of joint highway districts composed of two or more counties of the State of California":

Also: Assembly Bill No. 448—An act declaring the Kings River Canyon highway to be a part of the seven per cent State highway system, and providing for the construction and maintenance thereof:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—13; committee vote: Ayes—7; absent—6.

POWERS, Chairman.

Assembly Bills Nos. 791 and 448 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada State line near Verdi," approved April 15, 1919:

Also: Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—7; absent—6.

POWERS, Chairman.

Assembly Bill No. 1016 ordered on file for second reading.

Senate Bill No. 305 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 29—A resolution to propose to the

people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 2½, requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases:

Also: Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature:

Also: Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys: Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership: 9; committee vote: Ayes: 5; absent: 4.

SAMPLE, Chairman.

Senate Constitutional Amendments Nos. 29 and 23 ordered on file.

Assembly Constitutional Amendment No. 46 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership: 9; committee vote: Ayes: 5; absent: 4.

SAMPLE, Chairman.

Assembly Constitutional Amendment No. 24 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost:

Also: Senate Bill No. 344—An act to amend sections 1700 and 1701 of the Political Code of the State of California, relating to paying salaries of teachers:

Also: Senate Bill No. 345—An act to add a new section to the Political Code to be numbered 1608d, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district:

Also: Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries:

Also: Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527a, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education:

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the judicial department, and providing for the establishment of municipal courts;

Also: Senate Joint Resolution No. 18—Relative to needy Indians within the State of California;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 7, 90, and 130 thereof and by adding a new section thereto to be numbered section 132a thereof, all relating to the definition and regulation of the business of banking—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

HART, Chairman.

Assembly Bill No. 1119 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property;

Also: Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property;

Also: Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State;

Also: Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300c, of the Political Code, relating to records and fees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

HART, Chairman.

Assembly Bills Nos. 461, 462, 463, and 464 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 647—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Also: Senate Bill No. 687—An act to add a new section to the Political Code, to be numbered 738cc, relating to the salaries of superior judges;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bills Nos. 647 and 687 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 459—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Gates, E. J., asked for and was granted unanimous consent to take up the above Senate Bill No. 459, for the purpose of amendment, out of the regular order.

Bill read second time.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the words "two hundred forty-two thousand four hundred eighty dollars."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 17 and 18, and insert in lieu thereof the words "For support of supreme court, twenty-two thousand eight hundred dollars."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 21, of the printed bill, strike out the word "fifty".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 38, of the printed bill, strike out the word "seventy" and insert in lieu thereof the word "eighty".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 40 and 41, of the printed bill, strike out the words "two thousand four hundred dollars" and insert in lieu thereof the words "five thousand dollars".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 42 and 43, of the printed bill, strike out the words "five thousand eight hundred" and insert in lieu thereof the words "nine thousand".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 14, of the printed bill, strike out the word "three" and insert in lieu thereof the word "eighteen".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, lines 16 and 17, of the printed bill, strike out the words "four hundred sixteen thousand three hundred fifty dollars" and insert in lieu thereof the words "one hundred twenty-one thousand six hundred fifty dollars".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 32, of the printed bill, strike out the words "thirty thousand two hundred forty" and insert in lieu thereof the words "fifty-two thousand four hundred".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 33, of the printed bill, strike out the word "fourteen" and insert in lieu thereof the word "sixteen".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 34, of the printed bill, strike out the word "one" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 39, of the printed bill, strike out the words "twenty thousand four" and insert in lieu thereof the words "twenty-three thousand eight".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 48, of the printed bill, strike out the words "eighty-seven thousand three" and insert in lieu thereof the words "ninety-one thousand five".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 7, of the printed bill, strike out the word "five" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 17, of the printed bill, strike out the word "five" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 18, of the printed bill, strike out the words "thirty-four" and insert in lieu thereof the words "forty-one".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 25, of the printed bill, strike out the word "three" and insert in lieu thereof the words "six".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 26, of the printed bill, strike out the word "two" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 36, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, line 37, of the printed bill, strike out the word "one" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 41, of the printed bill, strike out the words "one thousand three" and insert in lieu thereof the words "nine thousand nine".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 42, of the printed bill, strike out the words "forty-seven" and insert in lieu thereof the words "thirty-eight".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 43, of the printed bill, strike out the word "three" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 2, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 3, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "thirteen".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 15, of the printed bill, strike out the word "four" after the word "million" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 23, of the printed bill, strike out the words "five hundred".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 20, of the printed bill, strike out the words "two hundred forty" and insert in lieu thereof the words "twenty-nine".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 35, of the printed bill, strike out the word "two" and insert in lieu thereof the word "eighteen".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 5, line 37, of the printed bill, strike out the word "forty-one" and insert in lieu thereof the word "forty-five".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 2, of the printed bill, strike out the words "one thousand two hundred" and insert in lieu thereof the words "two thousand forty".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 6, of the printed bill, strike out the words "seventy-five thousand nine" and insert in lieu thereof the words "seventy-seven thousand four".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 9, of the printed bill, strike out the words and figures "and 80/100".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 4, line 22, of the printed bill, strike out the word "four" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 46, of the printed bill, strike out the words "two thousand two hundred" and insert in lieu thereof the words "twenty thousand".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 48, of the printed bill, strike out the word "six" and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 50, of the printed bill, strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, line 4, of the printed bill, strike out the word "twenty-eight" and insert in lieu thereof the word "thirty-one".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 7 of the printed bill, between lines 5 and 6, insert the following paragraph: "For repairs, Preston School of Industry, ten thousand dollars".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 7, line 7, of the printed bill, strike out the word "nineteen" and insert in lieu thereof the word "twenty-four".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 7, line 13, of the printed bill, strike out the word "fifty-one" and insert in lieu thereof the word "sixty-seven".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 7 of the printed bill, between lines 20 and 21, insert the following paragraph: "For repairs, Whittier State School, ten thousand dollars."

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 7, line 38, of the printed bill, strike out the word "thirty-eight" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 8, line 4, of the printed bill, strike out the word "forty-five" and insert in lieu thereof the word "sixty-three".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 8, line 15, of the printed bill, strike out the word "forty-two" and insert in lieu thereof the words "one hundred nine".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 8, line 16, of the printed bill, strike out the words "thousand dollars" and insert in lieu thereof the words "thousand five hundred dollars."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 8 of the printed bill, strike out all of lines 39, 40 and 41, and insert in lieu thereof the following: "For salaries and support of officers and employees of the California Industrial Farm for Women, four thousand dollars."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 8, of the printed bill, strike out all of lines 42 and 43.

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 9, line 16, of the printed bill, strike out the word "thirty-two" and insert in lieu thereof the word "forty-two".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 9, line 19, of the printed bill, strike out the word "one" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 9 of the printed bill, between lines 24 and 25, insert the following: "For advisory pardon board, five thousand dollars."

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 9, line 29, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 9 of the printed bill, strike out line 34, and insert in lieu thereof the following: "commission, eighteen thousand seven hundred sixty dollars."

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 9, line 35, of the printed bill, strike out the words "two thousand three" and insert in lieu thereof the words "six thousand eight".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 9 of the printed bill, between the lines 36 and 37, insert the following: "For support, Humboldt redwood park, five thousand dollars. "For support, state nursery, five thousand dollars."

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 9, line 46, of the printed bill, strike out the words "thirty-six thousand nine hundred" and insert in lieu thereof the words "fifty thousand seven hundred".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 9 of the printed bill, strike out all of lines 51 and 52 and insert in lieu thereof the following: "ment of agriculture, nine hundred twenty-eight thousand three hundred forty dollars."

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 10 of the printed bill, strike out line 2 and insert in lieu thereof "sixty-seven thousand three hundred sixty-four dollars."

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 10 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof, "For new equipment, state department of agriculture, eight thousand three hundred twenty-five dollars."

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 10, line 8, of the printed bill, strike out the words "six thousand" and insert in lieu thereof the words "seven thousand five hundred".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 10, line 35, of the printed bill, strike out the word "eighty-one" and insert in lieu thereof the word "thirty-one".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 10, line 38, of the printed bill, strike out the words "twenty-six thousand eight" and insert in lieu thereof the words "twenty thousand three".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 11, line 23, of the printed bill, strike out the word "thirty-eight" and insert in lieu thereof the word "fifty-eight".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 11, line 25, of the printed bill, strike out the word "thirty-five" and insert in lieu thereof the word "forty-two".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 11, line 26, of the printed bill, strike out the word "one" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 11, line 27, of the printed bill, after the word "improvements" insert the words "and repairs".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 11, line 28, of the printed bill, strike out the words "seven thousand five hundred" and insert in lieu thereof the words "ten thousand".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 11, line 32, of the printed bill, strike out the words, "thirty-four" and insert in lieu thereof the word "sixty-nine".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 11 of the printed bill, between lines 37 and 38, insert the following: "for repairs, Fresno State Teachers College, five thousand dollars. For paying, Fresno State Teachers College, ten thousand dollars."

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 11, line 39, of the printed bill, strike out the words "one hundred eighty-seven" and insert in lieu thereof the words "two hundred seventeen".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 11, line 41, of the printed bill, strike out the word "twenty-four" and insert in lieu thereof the word "thirty-four".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 11 of the printed bill, between lines 42 and 43, insert the following: "for repairs, San Diego State Teachers College, fifteen thousand dollars. For purchase of land, San Diego State Teachers College, sixteen thousand dollars."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 11, line 48, of the printed bill, strike out the word "sixty-five" and insert in lieu thereof the word "eighty-two".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 11, line 50, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "eleven".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 12, line 1, of the printed bill, before the word "six" insert the words "one thousand".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 12 of the printed bill, between lines 2 and 3, insert the following: "For purchase of land, Humboldt State Teachers College, one thousand two hundred seventy-five dollars".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 12, line 4, of the printed bill, strike out the words "three hundred thirty-six" and insert in lieu thereof the words "three hundred eighty-one".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 12, line 6, of the printed bill, strike out the word "thirty-seven" and insert in lieu thereof the word "forty-two".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 12, line 10, of the printed bill, after the word "improvements" insert the words "and repairs".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 12, line 11, of the printed bill, strike out the word "three" and insert in lieu thereof the word "thirteen".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 12, line 13, of the printed bill, strike out the word "thirty-three" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 12, line 15, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 12, line 18, of the printed bill, strike out the word "one" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 12, line 19, of the printed bill, after the word "improvements" add the words "and repairs".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 12, line 20, of the printed bill, strike out the word "five" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 12, line 22, of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "forty-nine".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 12, lines 24 and 25, of the printed bill, strike out the word, "twenty-six" and insert in lieu thereof the word "thirty-two".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 12 of the printed bill, between lines 27 and 28, insert the following: "For repairs, San Francisco State Teachers College, ten thousand dollars".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 12, line 30, of the printed bill, strike out the word "thirteen" and insert in lieu thereof the word "twenty-three".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 12, line 34, of the printed bill, after the word "equipment" add the words "and books".

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 12 of the printed bill, strike out line 39, and insert in lieu thereof the following: "fourteen thousand five hundred fifty dollars.

For new building, California School for the Deaf and the California School for the Blind, ninety-thousand dollars."

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 13, line 3, of the printed bill, after the word "equipment" insert the words "and books"

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 13, line 4, of the printed bill, strike out the word "twenty-two" and insert in lieu thereof the word "forty-two".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 13, line 11, of the printed bill, strike out the words "two hundred ninety-five" and insert in lieu thereof the words "three hundred".

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 8, line 6, of the printed bill, strike out the word "ninety-six" and insert in lieu thereof the word "eighty".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 4, line 14, of the printed bill, between the words "hundred eight" insert the word "forty".

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN.

On page 6, line 11, of the printed bill, strike out the word "ninety-six" and insert in lieu thereof the words "one hundred forty-six".

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT.

On page 6, line 12, of the printed bill, strike out the word "fifty-three" and insert in lieu thereof the word "eighty-three".

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE.

On page 10, line 40, of the printed bill, strike out the words "three hundred seventy-eight" and insert in lieu thereof the words "four hundred thirty-eight".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED.

On page 10, line 43, of the printed bill, strike out the word "eleven" and insert in lieu thereof the word "seventy-one"

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 4, line 21, of the printed bill, strike out the words "seven thousand eight" and insert in lieu thereof the words "eight thousand three".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

SHARKEY, Chairman.

Senate Bill No. 707 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public;

Also: Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bills Nos. 420 and 704 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 652—An act to amend section 1248 of the Code of Civil Procedure, relating to proceedings in eminent domain—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Senate Bill No. 652 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 364—An act to amend section 4153 of the Political Code, relating to duties of the district attorney;

Also: Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Senate Bills Nos. 364 and 547 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses;

Also: Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 1161 and 1162 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 64—An act to amend section 1263a of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane;

Also: Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens;

Also: Assembly Bill No. 130—An act to amend section 4300d of the Political Code, relating to constable's and marshal's fees;

Also: Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain;

Also: Assembly Bill No. 272—An act to establish Gold Discovery Day;

Also: Assembly Bill No. 1160—An act to repeal section 1511b of the Penal Code, relating to the viewing of the body by a coroner's jury;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 64, 75, 130, 215, 272 and 1160 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature;

Also: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 23, requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 174—An act to authorize the making of a survey, and the preparation of plans and estimates, and the construction of a highway from the town of Alturas, in Modoc County, to New Pine creek on the Oregon-California line by the most direct and practical route connecting with the Oregon State highway—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—7; absent—6.

POWERS, Chairman.

Senate Bill No. 174 ordered on file for second reading.

RE-REFERENCE OF BILL.

On motion of Senator Boggs, Senate Bill No. 667 was taken from Committee on Agriculture and Live Stock and re-referred to Committee on Oil Industries.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled

and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word "districts" insert the following: "and teachers colleges".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out the word "or" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, after the word "colleges" insert the following: "and teachers colleges".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

UNFINISHED BUSINESS.

Senator Boggs asked for and was granted unanimous consent to take up out of the regular order for consideration, Senate Bill No. 138, heretofore this day ordered to the file for unfinished business.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1519c, 1620a, and 1543c, providing for the cooperative purchase of standard school supplies and equipment by school districts.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

PRESIDENT C. C. YOUNG IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., President C. C. Young of the Senate, in the chair.

Bill read third time, previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 138 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Carr, Creighton, Eden, Gates, E. J., Handy, Harris, Hart, Hughes, Inman, Johnson, A. B., Jones, Lewis, Lyon, Nelson, Osborne, Powers, Sample, Sharkey, and Slater—22.

NOES—Senators Allen, Burnett, Canepa, Chamberlin, Crowley, Dennett, Gates, Dr., Godsil, Gray, Hurley, Ingram, Johnson, M. B., McDonald, Murphy, Rush, Swing, and West—17.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulation in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

On motion of Senator Breed, Senate Bill No. 115 was passed on file.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Arbuckle, further consideration of the motion to reconsider the vote whereby Assembly Bill No. 257 was passed was continued until the next legislative day.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 590 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram,

Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelsen, Powers, Rush, Sample, Sharkey, and Slater 32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

On motion of Senator Sharkey, Senate Bill No. 471 was passed on file.

Senate Bill No. 413—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of polls.

On motion of Senator Sharkey, Senate Bill No. 413 was re-referred to Committee on Elections.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

On motion of Senator Gray, Senate Bill No. 126 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion to Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Constitutional Amendment No. 26—Relative to the recall of public officers.

On motion of Senator Allen, Senate Constitutional Amendment No. 26 was passed on file.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

Senate Bill No. 125 - An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

On motion of Senator Breed, Senate Bill No. 191 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 273—An act to provide for the better care of live stock in transit upon railroads in this State and limiting the number of cars in any one train that may be used for the purpose of transporting such live stock.

On motion of Senator Powers, Senate Bill No. 273 was re-referred to Committee on Public Utilities.

Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates.

On motion of Senator Allen, Senate Bill No. 283 was passed on file.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent

and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 494 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on file.

Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 184 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Gates, Dr., Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Nelson, Osborne, Powers, Sharkey, Slater, Swing, and West—24.

NOES—Senators Arbuckle, Burnett, Bennett, Eden, Godsil, Harris, Hurley, Johnson, M. B., McDonald, Murphy, and Sample—11.

NOTICE OF MOTION TO RECONSIDER.

Senator Crowley gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 184 was this day passed.

Title read and approved.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Joseph A. Beek, Secretary of the Senate, at the desk.

CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS—

(RESUMED.)

Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

On motion of Senator Ingram, Senate Bill No. 96 was passed on file.

Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

On motion of Senator Sample, Senate Bill No. 361 was passed on file.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

On motion of Senator Breed, Senate Bill No. 436 was passed on file.

Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than \$10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records.

On motion of Senator Breed, Senate Bill No. 580 was passed on file.

Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HURLEY IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator Hurley of the sixteenth district was called to the chair.

Senate Bill No. 344—An act to amend sections 1700 and 1701 of the Political Code of the State of California, relating to paying salaries of teachers.

On motion of Senator Lewis, Senate Bill No. 344 was passed on file.

Senate Bill No. 345—An act to add a new section to the Political Code to be numbered 1608d, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district.

On motion of Senator Lewis, Senate Bill No. 345 was passed on file.

Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

On motion of Senator Carr, Senate Bill No. 448 was passed on file.

Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527a, relating to retirement salaries of teachers employed in state schools and state institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

On motion of Senator Carr, Senate Bill No. 450 was passed on file.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 454, heretofore set as a special order for two o'clock p.m., the same was taken up for consideration.

Senate Bill No. 454—An act to protect the soil within the State of California and to prevent its destruction or its deterioration; to regulate the dredging of soil by means of the dredging process; declaring the use and cultivation of soil for agricultural purposes an ordinary use and declaring the use of soil for dredging purposes an extraordinary and uncommon use; declaring a State policy to encourage the cultivation of soil; declaring a State policy to protect the soil within the State; providing for the application to the State Water Commission for permission to carry on dredging operations; providing for the contents of applications for a permit to dredge; providing a procedure for the State Water Commission upon receipt of an application to dredge; providing for an inspection of the soil intended to be dredged; providing for a time and place for hearing said applications and a procedure at such hearing; providing for a determination by said State Water

Commission of said application; providing for the issuance of a license to dredge; providing the contents of said license; providing a punishment for a violation of this act and repealing acts or parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 454 was refused passage by the following vote:

AYES—Senators Boggs, Dennett, Harris, Inman, Jones, Lewis, Osborne, and Powers—8.

NOES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Rush, Sample, Sharkey, Slater, Swing, and West—31.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the Judicial Department.

On motion of Senator Chamberlin, Senate Constitutional Amendment No. 25 was re-referred to Committee on Constitutional Amendments.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 9 passed the following:

Senate Bill No. 264—An act to amend sections 378 and 439 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379a, 379b, 379c, and 391, relating to joinder of parties to civil actions:

Also: Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced:

Also: Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums:

Also: Senate Bill No. 213—An act to amend section 628b, of the Penal Code, relating to the protection of fish.

ARTHUR A. O'HINIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 264 ordered to enrollment.

Senate Bill No. 33 ordered to enrollment.

Senate Bill No. 8 ordered to enrollment.

Senate Bill No. 213 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 9 passed the following:

Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure relating to consolidation and severance of actions:

Also: Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole:

Also: Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims:

Also: Senate Bill No. 302—An act to amend section 626k of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 265—An act to amend section 127 of the Code of Civil Procedure, relating to joinder of causes of actions.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 270 ordered to enrollment.
Senate Bill No. 181 ordered to enrollment.
Senate Bill No. 266 ordered to enrollment.
Senate Bill No. 302 ordered to enrollment.
Senate Bill No. 265 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 9, 1923, passed the following:

Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease;

Also: Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property;

Also: Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents;

Also: Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration;

Also: Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 190 ordered to enrollment.
Senate Bill No. 189 ordered to enrollment.
Senate Bill No. 164 ordered to enrollment.
Senate Bill No. 163 ordered to enrollment.
Senate Bill No. 162 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 9 passed as amended, Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 169 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 9 passed as amended, Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER NINETEEN—(OUT OF ORDER).

Senator, Dennett asked for and was granted unanimous consent to take up Senate Bill No. 19 out of the regular order.

CONSIDERATION OF ASSEMBLY AMENDMENTS TO SENATE BILL
NUMBER NINETEEN.

The Senate took up for consideration Assembly amendments to Senate Bill No. 19—An act providing for the organization and government of

drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINETEEN.

AMENDMENT NUMBER ONE.

On page 11 of the printed bill, after line 48, insert the following:

"If the board of directors shall determine that the benefit to the lands in the district will be uniform and equal they may assess the amount of benefits that are to accrue to each tract by reason of the proposed improvement uniformly at a sum of money per acre sufficient to raise the amount necessary to pay the cost of the proposed improvement and damages awarded".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 19?"

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 19 by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

Senate Bill No. 19 ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 9 passed as amended, Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FIVE.

Senator Breed asked for and was granted unanimous consent to take up Senate Bill No. 105.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FIVE.

AMENDMENT NUMBER ONE..

On page 4, line 4, of the printed bill, after the word "the" insert "notes and".

AMENDMENT NUMBER TWO.

On page 4, line 13, of the printed bill, after the word "such" insert the words "notes or".

AMENDMENT NUMBER THREE.

On page 4, line 20, of the printed bill, after the word "the" insert the words "notes and".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 105?"

The roll was called, and Assembly amendments to Senate Bill No. 105 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, McDonald, Murphy, Osborne, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Senate Bill No. 105 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 9, 1923, passed as amended, Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OILINIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIX.

Senator Breed asked for and was granted unanimous consent to take up Senate Bill No. 106.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED SIX.

AMENDMENT NUMBER ONE.

On page 3, line 6, of the printed bill, after the word "or" insert the words "notes or."

AMENDMENT NUMBER TWO.

On page 3, line 8, of the printed bill, after the word "any" insert the words "notes or".

AMENDMENT NUMBER THREE.

On page 3, line 48, of the printed bill, after the word "said" insert the words "notes or".

AMENDMENT NUMBER FOUR.

On page 4, line 1, of the printed bill, after the word "said" insert the words "notes or".

AMENDMENT NUMBER FIVE.

On page 1, line 4, of the printed bill, after the word "treasurer" insert the words "of the county or municipality as the case may be".

AMENDMENT NUMBER SIX.

On page 1, line 19, of the printed bill, after the word "bank" insert a period.

AMENDMENT NUMBER SEVEN.

On page 1, line 19, of the printed bill, strike out the words "while there are other qualified banks in such", all of lines 20 to 23, both inclusive, and all of line 24 preceding the word "Any".

AMENDMENT NUMBER EIGHT.

On page 2, line 21, of the printed bill, strike out the word "monthly" and insert in lieu thereof the word "quarterly", and after the period add the following: "The treasurer of the county or municipality, as the case may be, shall render to such depository and to the county auditor a statement showing the amount of accrued interest for each such depository for the preceding quarter. Interest on all moneys deposited as herein provided for shall belong to the county or municipality represented by the officer making such deposits, and shall be paid quarterly into the general fund of such county or municipality except where the law otherwise directs."

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, lines 45, 46 and 47, strike out the words "to an amount in value at least ten per cent in excess of the amount of deposit in such bank or banks," and insert in lieu thereof the following: "The market value of the bonds furnished shall be at least ten per cent in excess of the amount of the deposit secured thereby; but the amount of the deposit shall in no case exceed the face value of the bonds furnished as security therefor."

AMENDMENT NUMBER TEN.

On page 3, line 1, of the printed bill, after the semicolon strike out the word "provided," and insert in lieu thereof the following: "*provided*, that the furnishing of surety bonds shall be optional with the treasurer; *provided, however*,".

AMENDMENT NUMBER ELEVEN.

On page 4, line 15, of the printed bill, strike out the word "monthly" and insert in lieu thereof the word "quarterly".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 106?"

The roll was called, and Assembly amendments to Senate Bill No. 106 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Bill No. 106 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 9 passed as amended, Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SIXTY-NINE.

Senator Dennett asked for and was granted unanimous consent to take up Senate Bill No. 269.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED SIXTY-NINE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 19 and 20 and insert in lieu thereof the words "foreign country for a period of at least seven years immediately preceding the filing of".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 269?"

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 269 by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—30.

Senate Bill No. 269 ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1268. An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect", approved June 16, 1913, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1268 read first time and referred to committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 945—An act to amend section 243 of the Penal Code, relating to the punishment of robbery;

Also: Assembly Bill No. 879—An act to refer to its provisions as the general dairy law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk

Assembly Bill No. 945 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 879 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 100—An act to amend section 1810c of the Code of Civil Procedure, relating to the compromise of claims of minors;

Also: Assembly Bill No. 250—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure

to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation;

Also: Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary;

Also: Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code;

Also: Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 100 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 260 read first time, and referred to Committee on Insurance.

Assembly Bill No. 941 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 942 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 943 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 19—Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY.

Senator Breed moved that Assembly Concurrent Resolution No. 20 be taken up without reference to committee.

Motion carried.

ASSEMBLY CONCURRENT RESOLUTION No. 20.

Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

WHEREAS, The Legislature of the State of California has been advised that the Honorable Henry C. Wallace, Secretary of Agriculture of the United States, will visit the city of Sacramento on Wednesday, April 11, 1923; and,

WHEREAS, This Legislature deems it an extreme honor to be able to receive this eminent gentleman; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee from the Legislature, composed of three members of the Senate, to be appointed by the Lieutenant Governor, and a like number from the Assembly, to be appointed by the Speaker, are hereby authorized to meet the Honorable Henry C. Wallace upon his arrival in Sacramento, and to escort him to the Assembly Chamber; and, be it further

Resolved, That the Senate and Assembly meet jointly in the Assembly Chamber at 2:30 p.m. to receive the Honorable Henry C. Wallace, Secretary of Agriculture.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B. Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and West—31.

NOES—None.

Assembly Concurrent Resolution No. 20 ordered transmitted to the Assembly.

APPROPRIATIONS BY PRESIDENT.

Pursuant to the provision of Assembly Concurrent Resolution No. 20 the President appointed Senators Rush, Boggs and Girdell as Senate members of the joint committee to meet Secretary Wallace.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

The following report of standing committee was received and read:

ON ENROLLMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Enrollment and Enrollment has examined the following:

Senate Bill No. 443. An act to amend section 154 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911," and all acts or parts of acts in any way inconsistent therewith, approved May 28, 1917, as amended, relating to fish and game districts.

Also, Senate Bill No. 448. An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the nomination by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal and other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

Also, Senate Concurrent Resolution No. 43. Relative to reports of the department of management of the Grand Army of the Republic.

Also, Senate Concurrent Resolution No. 17—Relative to leave of absence of E. L. Dow from the State of California;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of April, 1923, at three o'clock p.m.

GATES, DR., Chairman.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Breed, Senator Hurley declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, April 11, 1923

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Broad Burnett, Canepa, Carr, Chamberlin, Craghton, Dennett, Eden, Gates, Dr., Gates E. J., Girdell, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 10, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Godsil, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John G. Ryan of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John McDonell, Joseph Valentine, and Wesley Benepe of Sebastopol.

LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senator Rominger was, on motion of Senator Hart, granted leave of absence for this day.

Senator Gates, Dr., was excused for two hours.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

RUSH, Chairman.

Assembly Bill No. 894 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—6; absent—3.

RUSH, Chairman.

Assembly Concurrent Resolution No. 13 ordered on file.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

WEST, Chairman.

Senate Bill No. 292 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in this State who may here-

after die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

HUGHES, Chairman.

Assembly Bill No. 327 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 328—An act to add a new section to be numbered 1a to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

HUGHES, Chairman.

Assembly Bill No. 328 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 651 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 246—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation, and recommends that it be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 246 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 650 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 378—An act to amend section 1734b of the Political Code, relating to high school districts;

Also: Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools;

Also: Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class;

Also: Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts;

Also: Senate Bill No. 2—An act to provide for the appropriation of certain submerged lands, lying along the water front of the city and county of San Francisco for aquatic sports;

Also: Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16L, 18 and 33;

Also: Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools;

Also: Senate Bill No. 562—An act to amend the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance.

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

JOHNSON, A. B., Chairman.

Assembly Bill No. 959 ordered on file for second reading.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or

riparian owners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

LYON, Chairman.

Senate Bill No. 688 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 154. An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35a and 49a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senator Hart asked for and was granted unanimous consent to take up Senate Bill No. 154.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 154. An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35a and 49a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FIFTY-FOUR.

AMENDMENT NUMBER ONE.

On page 2, line 10, of the printed bill, strike out the word "of" and insert the word "or".

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, strike out the word "division" and insert the word "subdivision".

AMENDMENT NUMBER THREE.

After the word "States" in line 2, on page 3, of the printed bill, insert the words "and moneys of bankrupt estates".

AMENDMENT NUMBER FOUR.

On page 3, line 34, of the printed bill, strike out the word "of" and insert the word "or".

AMENDMENT NUMBER FIVE.

On page 5, line 18, of the printed bill, strike out the comma after the word "contrary".

AMENDMENT NUMBER SIX.

On page 7, line 22, of the printed bill, strike out the word "on" and insert the word "of".

AMENDMENT NUMBER SEVEN.

On page 12, line 12, of the printed bill, strike out the word "of" and insert the word "or".

AMENDMENT NUMBER EIGHT.

On page 16, line 8, of the printed bill, strike out the word "associations" and insert the word "association".

AMENDMENT NUMBER NINE.

On page 12, line 15, of the printed bill, strike out the word "names" and insert the word "name".

AMENDMENT NUMBER TEN.

On page 14, line 48, of the printed bill, strike out the word "restriction" and insert the word "restrictions".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 154?"

The roll was called, and Assembly amendments to Senate Bill No. 154 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Senate Bill No. 154 ordered to enrollment.

RE-REFERENCE OF BILLS.

On motion of Senator Jones, Assembly Bill No. 1090 was taken from Committee on Labor and Capital and re-referred to Committee on Education.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 10, 1923, passed as amended, Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-TWO.

Senator Handy was granted unanimous consent to take up Senate Bill No. 352.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 352.

An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FIFTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the word "The", and in lieu thereof insert the following: "Unless otherwise provided by law the".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after the word "situated" insert the following: "or in a county contiguous to said county".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 352?"

The roll was called, and Assembly amendments to Senate Bill No. 352 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Slater, Swing, and West—28.

NOES—None.

Senate Bill No. 352 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, passed the following:

Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913:

Also: Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Bills Nos. 349 and 272 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, passed the following:

Senate Bill No. 645—An act to amend section 1272a of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer:

Also: Senate Bill No. 489—An act to approve, confirm, ratify and validate sales and conveyance of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales:

Also: Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23a, relating to fees on permits, and 23b, relating to payment of fees into the State treasury and providing for exemption from fees:

Also: Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Bills Nos. 645, 489, 485 and 350 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, adopted the following: Assembly Joint Resolution No. 17—Relative to memorializing Congress to adopt a bill introduced by Honorable John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Joint Resolution No. 17 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, adopted Assembly Concurrent Resolution No. 18—Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Concurrent Resolution No. 18 referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, adopted Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Joint Resolution No. 11 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, adopted Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Joint Resolution No. 23 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, passed the following:

Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females;

Also: Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919;

Also: Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 88 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 822 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 113 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 480 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, passed the following:

Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended;

Also: Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 416 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 590 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 10, 1923, passed the following:

Assembly Bill No. 247—An act amending sections 10 and 11 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody;

Also Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof;

Also: Assembly Bill No. 362—An act to amend section 1462 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662a, relating to the registration of minors;

Also: Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal;

Also: Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance

has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 247 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1224 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 362 read first time, and referred to Committee on Education.

Assembly Bill No. 915 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 479 read first time, and referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Senate Bill No. 423—An act relating to the control and eradication of contagious and infectious diseases among domestic live stock; relating to the procedure in effectively coping with emergencies as they arise, and providing an appropriation to carry out the provisions of this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the word "relating" and all of lines 3, 4 and 5 and in lieu thereof insert the following: "authorizing the director of agriculture to employ during the seventy-fifth and seventy-sixth fiscal years such employees as he may deem necessary to assist in the control and eradication of communicable diseases affecting domestic live stock, and making an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period add the following: "The director of the state department of agriculture is hereby authorized to employ such inspectors during the seventy-fifth and seventy-sixth fiscal years as he may deem necessary to assist in the control and eradication of communicable diseases among domestic live stock."

SEC. 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of sixty-two thousand four hundred dollars to be used in accordance with law for the payment of the salaries and the necessary actual expenses of the employees herein provided for."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 4 and in lieu thereof insert the following: "act shall include any mineral substance, or mixture of mineral substances, or mixture of mineral and organic substances".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 line 12 of the printed bill strike out the words "commencing on and thereafter" and in lieu thereof insert the following: "beginning May 1st of June."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 line 6 of the printed bill strike out the words "of the year" and in lieu thereof insert the following: "of the fiscal year."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 line 12 of the printed bill, strike out the word "January" and in lieu thereof insert the word "June."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4 line 37 of the printed bill strike out the section and in lieu thereof insert the following: "provided, however, that if no time shall any expenditures be made which are in excess of the amount collected from the fees provided for in this act."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4 lines 28 and 29 of the printed bill strike out all of section 11 and in lieu thereof insert the following:

SEC. 11. The Director of Agriculture shall have the power, after hearing, to cancel the registration of, or to refuse to register and agricultural mineral which has been shown to have little or no value for the purpose for which it is intended to be used, or has been shown to be generally detrimental or seriously injurious to the growth or productiveness of lands.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 488. An act to amend section 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i and 2322j of the Political Code, relating to agriculture.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 40 to 50, both inclusive, being all of paragraphs numbered 2 and 3 (a), and insert in lieu thereof the following:

(2) In counties of the second class, the commissioner shall receive a salary of three thousand dollars per annum: *provided*, that in counties of this class there shall be and there is hereby allowed to the commissioner the following deputy and inspector to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy horticultural commissioner at a salary of two thousand four hundred dollars per annum.

(b) One inspector at a monthly salary of one hundred seventy-five dollars per month during the time actually employed, but the aggregate amount which may be expended in any year for such inspector shall not exceed two thousand one hundred dollars."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, after line 27 of the printed bill, insert a new subsection to be numbered subsection "(b)", to read as follows:

"(b) Two inspectors at a compensation of five dollars and a half per diem each during the time actually employed, but the aggregate amount which may be expended in any year for such inspectors shall not exceed four thousand dollars."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 28, of the printed bill, strike out at the commencement of said line the letter "(b)" and insert in lieu thereof the letter "(c)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 34, of the printed bill, strike out at the commencement of said line the letter "(c)" and insert in lieu thereof the letter "(d)".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 29, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "eighteen".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 33, of the printed bill, strike out the word "five" at the commencement of said line the word "one".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 20, of the printed bill, strike out the words "two thousand four" and insert in lieu thereof "forty-eight".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 41, of the printed bill, strike out the word "two" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 48, of the printed bill, strike out the words "twenty-eight thousand three hundred eighty" and insert in lieu thereof the words "twenty-five thousand six hundred eighty".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, line 26, of the printed bill, strike out the words "seventy-nine thousand eight hundred forty" and insert in lieu thereof the words "sixty-nine thousand eight hundred forty".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 21, of the printed bill, strike out the word "two" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 11, line 6, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 11, line 9, of the printed bill, strike out the words "two thousand four hundred" and insert in lieu thereof the words "one thousand eight hundred seventy-two".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 14, line 20, of the printed bill, strike out the words "three thousand" and insert in lieu thereof the words "two thousand four hundred".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 15, line 19, of the printed bill, strike out the words "one thousand eight hundred" and insert in lieu thereof the words "two thousand four hundred".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 15, line 25, of the printed bill, strike out the word "Five" and insert in lieu thereof the word "Four".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 15, line 25, of the printed bill, strike out the word "six dollars" and insert in lieu thereof the words "four dollars and a half".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 15, line 28, of the printed bill, strike out the words "six thousand six hundred" and insert in lieu thereof the words "five thousand six hundred".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 15, line 31, of the printed bill, strike out the words "seventy-five" and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 15, line 33, of the printed bill, strike out the words "nine hundred" and insert in lieu thereof the words "ten hundred eighty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 18, line 22, of the printed bill, strike out the words "two thousand dollars per annum" and insert in lieu thereof the words "six dollars per diem, during the time actually employed but the aggregate amount which may be expended in any year for such commissioner shall not exceed eighteen hundred dollars".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 20, line 31, of the printed bill, insert after the word "commissioner" the words "or deputy county horticultural commissioner".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 20, line 41, of the printed bill, insert after the word "commissioners" the words "or deputy county horticultural commissioners".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 13, line 46, of the printed bill, strike out the words "four thousand nine hundred" and insert in lieu thereof the words "six thousand".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 647—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 687—An act to add a new section to the Political Code, to be numbered 738cc, relating to the salaries of superior judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "assessed" insert the words "in any county or city and county."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the word "which" insert the words, "as shown by evidence of title."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out all of the words after the word "March" and also also all of line 12, and insert in lieu thereof the words "of the year for which registration is applied."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public.

MOTION TO AMEND.

During second reading of the bill, Senator McDonald moved to amend Senate Bill No. 420 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "forty" and insert in lieu thereof the words "seventy-five".

Amendment adopted.

Bill ordered to print and engrossment.

Section 3211 of the 704-34 act to provide for the formation, growth, maintenance, reorganization, dissolution and alteration of localities of military districts in any part of the State for the protection of persons, property, lands and other military purposes, the acquisition of property, the selling and conducting of elections in such districts, the assessment, levy, collection, custody and disbursement of taxes thereon, the making and disposal of the lands thereof and the determination of their validity and making provision for the payment of such lands and the disposal of their proceeds, to empower military boards to make and enforce military regulations and providing penalties for violation thereof.

Bill read second time, and ordered on file for third reading.

LEGISLATIVE BUSINESS AT THE DESK

SENATE BILL NO. 652—An act to amend section 1248 of the Code of Civil Procedure, relating to proceedings in eminent domain.

COMMITTEE AMENDMENTS

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, after the title of the printed bill, and insert in lieu thereof the following:

An act to add a new section to the Code of Civil Procedure to be designated as section twelve hundred forty-eight, relating to proceedings in eminent domain, and to amend section one thousand two hundred twenty-three.

Amendment adopted.

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, after the word "to" immediately following the word "Section 1" add the following: "There is hereby added to the Code of Civil Procedure a new section, to be numbered section one thousand two hundred forty-eight, and to read as follows:

"**Section.** Whenever a complaint is filed with the pleadings in the cause, that there are claims of conflicting claims, real or personal, between parties defendant, in or to the property sought to be condemned upon, claims shall not be adjudicated in the proceedings for the condemnation of the property, but shall be reserved for adjudication hereinafter in this section provided. In such event, the compensation for the taking of the property or for any damages thereon shall be ascertained and assessed and the proceedings shall be conducted in the same manner and with the same force and effect as in other cases, except that the court shall order the money to be paid into court by the plaintiff. When such payment is made, the court must make a final order of condemnation, which shall contain the matters specified in section one thousand two hundred fifty-three of this code, and shall be filed in the same manner and have the same effect as the final order of condemnation therein mentioned.

Upon the payment of the money into court, any party defendant to the condemnation proceedings claiming a legal or equitable interest in the property or the money arising therefrom by such condemnation, may bring an action in the superior court to adjudicate the rights in or to such money of all parties to the condemnation proceedings who claim the property or money, or any interest therein or part thereof. The plaintiff in such action shall make all such other claimants parties defendant therein. The complaint in such action shall state the facts on which the claim of the plaintiff is founded, the fact of the condemnation of the property, the amount of money so paid into court and such other facts as are required to enable the court to hear and determine the matter between the claimants. Such money shall when so paid into court represent the property condemned or the interests therein. The conflicting claims of the parties to such money shall be determined in such action the same as if the property had not been converted into money and the money shall be distributed to those entitled thereto as so determined."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 364—An act to amend section 4153 of the Political Code, relating to duties of the district attorney.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 25 and 26, and all of line 27 down to and including the semicolon before the word "prosecute", and insert in lieu thereof the following: "9. When requested by the parent or guardian of a minor child or children so to do, to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 29, strike out the words "in such court".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 30, strike out the word "such".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of section 2.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 174—An act to authorize the making of a survey, and the preparation of plans and estimates, and the construction of a highway from the town of Alturas, in Modoc county, to New Pine creek on the Oregon-California line by the most direct and practical route connecting with the Oregon State highway.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title following the word "act", all of lines 2 to 6, both inclusive, and insert in lieu thereof the following: "declaring and establishing a state highway between Alturas, in Modoc county, and New Pine Creek on the California-Oregon State line".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the period, all of lines 2 to 13, both inclusive, and insert in lieu thereof the following:

"That certain highway beginning at the town of Alturas, in Modoc county, thence extending northerly to the town of New Pine Creek on the California-Oregon line and the entire length thereof is hereby declared to be and the same is hereby constituted a state highway and said road is hereby placed under the supervision and control of the California highway commission; *provided*, that the said California highway commission is empowered and authorized to improve the said road and to change the route thereof whenever and wherever it may deem expedient."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on file.

Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

On motion of Senator Ingram, Senate Bill No. 96 was passed on file.

Senate Bill No. 345—An act to add a new section to the Political Code to be numbered 1608*d*, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district.

Bill read third time.

The question being on the passage of the bill.

The bill was called, and Senate Bill No. 345 passed by the following vote:

AYES—Senators Allen, Arbuckle, Beggs, Burnett, Canepa, Carr, Creighton, Dennett, Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Slater, and West—24.

NOES—None.

Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

On motion of Senator Carr, Senate Bill No. 448 was passed on file.

Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a few section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in state schools and state institutions," approved June 1, 1921, and repealing an act entitled "An act to pro-

vide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

On motion of Senator Carr, Senate Bill No. 450 was passed on file.

Senate Bill No. 378—An act to add a new section to the Political Code, to be numbered 1705, and to amend section 1734*b* of the Political Code, relating to public school teachers and to high school districts.

On motion of Senator Gates, Dr., Senate Bill No. 378 was passed on file.

Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 706 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Lewis, McDonald, Murphy, Osborne, Powers, Sample, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts.

On motion of Senator Eden, Senate Bill No. 30 was passed on file.

Senate Bill No. 2—An act to provide for the appropriation of certain submerged lands, lying along the water front of the city and county of San Francisco for aquatic sports.

Senate Bill No. 2 re-referred to Committee on Commerce and Navigation.

Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board, and

defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 227 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 102 passed by the following vote.

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 562—An act to amend an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policy holders of recourse against stockholders of such corporations," approved May 31, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 562 passed by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 18.

Relative to needy Indians within the State of California.

WHEREAS, There are within the borders of the State of California approximately twenty thousand Indians on land of little or no value, of whom at least four thousand are without any land or homes, and furthermore, there are about four thousand Indian children of school age of whom two thousand five hundred are without adequate or any school facilities, and a considerable number of the Indian population are without necessary food, shelter and medical attendance; and

WHEREAS, The national government through a duly authorized commission in the years 1851 and 1852 negotiated eighteen separate treaties with the Indians of this State, and secured the signatures of four hundred one Indian chiefs and headmen to said treaties, agreed to reserve for them in perpetuity about seven million five hun-

dred thousand acres of land and to pay said Indians approximately one million eight hundred thousand dollars in sundry goods for the other lands they agreed to cede to the United States and to provide them with sufficient educational and agricultural instruction, and the facilities necessary therefor; and

WHEREAS, The national government has so signally failed to keep faith with these defenseless people, as provided for in said treaties or to compensate them for any of their rights in land or to provide for them educationally or otherwise, in accordance with its policy adhered to everywhere else; and

WHEREAS, The massing of these Indians in thinly populated districts makes provision for them at the expense of their white neighbors, under the prevalent school and pauper laws of the State, an unfair, inequitable and intolerable burden; and

WHEREAS, It has been the general policy of the national government to assume the care and education of the Indians, yet it has not always been practicable or for the best interests of the Indians themselves to remove them to reservations; and

WHEREAS, The general policy of the State and national cooperation as outlined by the Indian board of cooperation of California (incorporated) has already been approved by the State Legislature and by congressional and administrative act; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That our representatives in Congress be and are hereby memorialized to secure provision in the Indian appropriation bill (1) for the purchase of adequate and permanent allotments with necessary improvements for homeless Indians; (2) for providing school buildings and equipment for Indians in public school districts where the Indian population and the necessities warrant it; and (3) for cooperation with county officials in securing proper care for sick and destitute Indians, until the necessity therefor no longer exists; and be it further

Resolved, That our representatives in Congress be, and are hereby, urged to put forth their best and united efforts to secure the enactment by Congress of an adequate bill conferring jurisdiction upon the courts of the United States to hear and to adjudicate all claims, both legal and equitable, which the several tribes or bands of Indians of California may have against the United States government for lands taken from them without compensation therefor; and be it further

Resolved, That the Governor of the State of California, upon the passage of this resolution, shall forward a copy thereof to the President of the United States, the Vice President of the United States in his capacity as presiding officer of the Senate, the Speaker of the House of Representatives, to each of our representatives in Congress, each member of the House and Senate committees on Indian affairs, the Secretary of the Interior, and the Commissioner of Indian Affairs.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 18 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 18 ordered transmitted to the Assembly.

Senate Bill No. 344—An act to amend sections 1700 and 1701 of the Political Code of the State of California, relating to paying salaries of teachers.

On motion of Senator Lewis, Senate Bill No. 344 re-referred to Committee on Education.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and

providing a penalty for the violation thereof." approved February 28, 1905, as amended.

In the absence of the author, Senate Bill No. 194 was passed on file.

Senate Bill No. 471—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Senate Bill No. 471 ordered re-referred to Committee on Public Charities and Corrections.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

On motion of Senator Gray, Senate Bill No. 126 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code, providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Constitutional Amendment No. 26—Relative to the recall of public officers.

Senate Constitutional Amendment No. 26 ordered re-referred to committee on Constitutional Amendments.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 101, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry,

define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto, and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 283 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Chamberlin, Dennett, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Sharkey, Slater, and Swing—26.

NOES—Senators Burnett, Godsil, McDonald, and Nelson—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 29.

A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 24, requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its regular session commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California that the constitution of said State shall be amended by adding to article VI thereof a new section to be numbered 24, to read as follows:

SEC. 24. The justices of the Supreme Court shall give their written opinion upon any question of law whenever requested by the Governor or by either house of the Legislature.

Senate Constitutional Amendment No. 29 read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 29 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Sample, Sharkey, Slater, Swing, and West—32.
 NOES—None.

Senate Constitutional Amendment No. 29 ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

On motion of Senator McDonald, Senate Constitutional Amendment No. 23 was passed on file.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State highway.

On motion of Senator Swing, Senate Bill No. 305 was passed on file.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

On motion of Senator Breed, Senate Bill No. 436 was passed on file.

Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than \$10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records.

On motion of Senator Breed, Senate Bill No. 580 was passed on file.

SECOND READING OF ASSEMBLY BILLS.

G. MELVIN WARREN, ASSISTANT SECRETARY, AT THE DESK.

Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 880—An act to provide authority to any county in California to cooperate with the United States Department of Agriculture and the California Department of Agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter 714, Statutes 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The standard apple act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 791—An act validating the formation and organization of joint highway district No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of joint highway districts composed of two or more counties of the State of California."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 448—An act declaring the Kings River canyon highway to be a part of the seven per cent State highway system, and providing for the construction and maintenance thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill in line 1 of the title after the word "canyon" insert the word "State".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title strike out the words "seven per cent".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 2, after the word "a", strike out the three words "seven per cent".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 7, after the word "of" insert the words "seven per cent".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 8, strike out the word "together" and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1016—An act to amend the title of and to revise an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919.

Bill read second time, and ordered on file for third reading.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage.

COMMITTEE AMENDMENT.

During second reading of the constitutional amendment, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 9 after the period and all of lines 10 to 27, both inclusive, and on page 2 of the printed bill, strike out lines 1 to 8, both inclusive, and in lieu thereof insert the following:

"Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been resident of the state one year next preceeding the election, and of the county in which he or she claims his or vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within thirty days of an election, shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct from which he so removed until after such election; *provided, further*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this state; *provided*, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who had the right to vote on October 10, 1911, nor to any person who was sixty years of age and upwards on October 10, 1911; *provided, further*, that the legislature may, by general law, provide for the casting of votes by duly registered voters who, by reason of their occupation, are regularly required to travel about the state and who, by such affidavit as the legislature may prescribe, show that they will be absent from their respective precincts on the day on which any primary or general election is held, or who, by reason of their being engaged in the military or naval service of the United States or of the state, may be absent from their respective precincts on the day on which any primary or general election is held; which votes (a) may be cast in the office of the registrar of voters, or of the county clerk of the county or city and county in which such voters respectively reside, and on a day prior to the date of such election, under such provisions as the legislature may see fit to make; or (b) may be cast in the city, city and county or town within this state in which such voters may be on the day on which such election is held, under such provisions as the legislature may see fit to make, and shall be forwarded in such manner as the legislature may prescribe to the officers respectively of the city, city and county or town having

charge of the counting of the ballots cast at such election; or (c) in cases where said voters are engaged in such military or naval service, may be cast at any place, under such provisions as the legislature may see fit to make, and shall be forwarded in such manner as the legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots at such election; all of which votes shall be kept in such manner and counted by such methods as the legislature may prescribe; *provided*, that it must be required that all ballots cast in any other place than the precinct of the voter must be received by the county clerk of the county in which the voter is registered, within two weeks of the election, in which such ballots are to be counted."

Amendment adopted.

Constitutional Amendment No. 24 read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "bank act," by amending sections 7, 90, and 130 thereof and by adding a new section thereto to be numbered section 132a thereof, all relating to the definition and regulation of the business of banking.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 4, of the printed bill, after the word "served" insert the word "upon".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 45, of the printed bill, strike out the word "section" and insert the word "sections".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 47, of the printed bill, after the word "must" strike out the words "also apportion and", and all of lines 48, 49 and 50.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 26, of the printed bill, after the word "were" insert the word "respectively".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 32, of the printed bill, strike out the word "authorized" and insert the word "subscribed".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 41, of the printed bill, after the words "reserve and" insert the word "any".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8, line 5, of the printed bill, strike out the word "wherein" and insert the words "that wherein is located".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 14, of the printed bill, after the word "by" insert the words "it through".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300*c* of the Political Code, relating to recorders and fees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 64—An act to amend section 1269*a* of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 130—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 272—An act to establish Gold Discovery Day.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1160—An act to repeal section 1511*b* of the Penal Code, relating to the viewing of the body by a coroner's jury.

Bill read second time, and ordered on file for third reading.

APPOINTMENT BY THE PRESIDENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

To the Senate of the State of California.

I beg leave to inform you that I have appointed Richard Johnson as Page, at a per diem of \$2.50; and respectfully request the consent of the Senate thereto.

C. C. YOUNG, President of the Senate.

Senator Breed moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 667—An act to provide for the inspection and grading of lubricating oils under the direction of the Department of Agriculture—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—9; committee vote: Ayes—8; absent—1.

LYON, Chairman.

Senate Bill No. 667 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—8; absent—6.

JONES, Chairman.

Assembly Bill No. 149 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California relative to the judicial department—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 25 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—8; absent—6.

JONES, Chairman.

Senate Bill No. 329 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 31—An act to amend section 19440 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote—Ayes—8; absent—6.

JONES, Chairman.

Assembly Bill No. 31 ordered on file for second reading.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-NINE—
(OUT OF ORDER.)

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 169 out of the regular order.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED SIXTY-NINE.

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the word "president," omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other presiding officer."

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, after the word "president," omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other presiding officer."

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, after the word "president," omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other presiding officer."

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, after the word "president," omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other Civil Process officer."

Bill read section being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 169?"

Assembly Bill called, and Assembly amendments to Senate Bill No. 169 called for, and the following vote:

Assembly Bill No. 169, as amended, passed. Ayes—33; nays—0. Members voting: Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlain, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Miller, Read, Second, Tibbs, Sample, Sharkey, Slater, Swing, and West—33.

Bill ordered to enrollment.

RECESS.

At 1 o'clock p. m. on motion of Senator Breed, the President declared the Senate at recess until the hour of 2 o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

SENATOR NELSON IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Senator Nelson of the first district was called to the chair.

THIRD READING OF SENATE BILLS— (OUT OF ORDER).

Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 191 to Senator Nelson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, strike out the following: "August 31", and insert in lieu thereof the following: "September 30".

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed bill, after the word "in" insert the following: "the year one thousand nine hundred twenty-four and".

AMENDMENT NUMBER THREE.

On page 4, line 5, of the printed bill as amended, strike out the word "reciprocals" and insert in lieu thereof the words "receptacles".

AMENDMENT NUMBER FOUR.

On page 5, line 42, of the printed bill as amended, strike out the words "upkeep and repair" and insert in lieu thereof the following: "the maintenance, repair, widening, resurfacing and reconstruction".

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, strike out all of line 43 and insert in lieu thereof the following: "and for the maintenance, repair, widening, resurfacing and reconstruction of roads and highways in state parks, subject to the approval of the official or officials charged by law with the management and control of such parks, such moneys to be drawn from the state highway maintenance fund for the purpose of such maintenance, repair, widening, resurfacing and reconstruction upon warrants drawn by the state controller upon demands made by the state highway commission and allowed and audited by the state board of control."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 191, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Breed, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Senate Bill No. 311 to Senator Carr, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, after the word "instruction" strike out the period and insert in lieu thereof a semicolon and the following: "provided, that teachers holding elementary school certificates may teach in the first two years of any junior high school course."

AMENDMENT NUMBER TWO.

On page 3, line 16, of the printed bill, after the letter "a" in parenthesis commencing with the word "the" strike out everything to the bottom of page 3.

Commencing with page 4, line 1, strike out everything down to and including the period after the word "minor" in line 17 and insert in lieu thereof the following: "The last full week of October of each odd numbered year is hereby designated as official registration week for minors under eighteen years of age; provided, that in case of epidemic, fire, flood or other public disaster, which would make it undesirable or impossible to provide for this registration during such week, the governing board of such district shall designate a week not later than fifteen days after said school has reopened as official registration week; and shall post a notice thereof on the school-house designating the new date set for such registration.

It shall be the duty of the governing board of every school district to appoint a registrar of minors and such assistant registrars as may be necessary. Such appointments shall be made on or before the first day of October of the year in which the registration is to be made (and, except in city school districts, shall be subject to approval by the superintendent of schools of the county). Such registrar of minors and assistant registrars shall be residents of the school district at least twenty-one years of age, and may be allowed such compensation as the governing body may fix, not exceeding five dollars per day for the time actually and necessarily employed. At least five days previous to entering upon the discharge of his duties each registrar and assistant registrar must qualify and file his oath of office with the superintendent of schools of the county. If the governing board of any school district shall fail to appoint a registrar of minors or if the registrar of minors fails to qualify and file his oath as herein provided, it shall be the duty of the county superintendent of schools having jurisdiction over such district to appoint a registrar of minors and such assistant registrars as may be necessary for such district, and to fix their compensation, not exceeding five dollars a day for the time actually and necessarily employed. He shall also draw a warrant on the funds of such district, in payment of the services of such registrar and assistant registrars. The registrar shall compile the information herein required and report the same to the superintendent of schools of the county.

It shall be the duty of the registrar of minors during the last full week of October of each odd numbered year to visit each habitation, residence, domicile or place of abode in each school district within such territory, and make a complete registration of minors residing in each school district. The registration herein provided for shall be made on blanks prescribed by the superintendent of public instruction and provided by the counties.

Said registration shall record information regarding sex, age, nationality of parents, nativity, residence, education, occupation and such other information as the superintendent of public instruction may deem necessary in providing free educational opportunities under the laws of this state.

It shall be the duty of all persons over twenty-one years of age, when requested by the registrar or assistant registrar, to answer correctly, to the best of their knowledge, all questions on the census schedules applying to themselves and to the families to which they belong or be related, and any person over twenty-one years of age who, under the conditions hereinbefore stated shall refuse or wilfully neglect to answer any of these questions, or shall wilfully give answers that are false shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding one hundred dollars.

The actual and necessary expenses for making such registration shall be paid, subject to the provisions of law, out of the county or special fund of the school district."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 311, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Special Committee.

Report read, and on motion of Senator Slater, adopted.

Bill ordered to print, and re-engrossment.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to recede from its amendments to Senate Bill No. 269, and recommends the appointment of a Committee on Conference.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to recede from its amendments to Senate Bill No. 19, and recommends the appointment of a Committee on Conference.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL—(OUT OF ORDER).

The following constitutional amendment was offered:

By Senator Lewis: Senate Constitutional Amendment No. 33—Relative to the right of suffrage.

Senate Constitutional Amendment No. 33 referred to Committee on Constitutional Amendments.

RECESS.

At two o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of three o'clock and twenty minutes for the purpose of meeting in Joint Convention with the Assembly to be addressed by the Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

IN JOINT CONVENTION.

At two o'clock and thirty minutes p.m., the Senate and Assembly met in Joint Convention pursuant to Assembly Concurrent Resolution No. 20.

ASSEMBLY CONCURRENT RESOLUTION No. 20.

Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

WHEREAS, The Legislature of the State of California has been advised that the Honorable Henry C. Wallace, Secretary of Agriculture of the United States, will visit the city of Sacramento on Wednesday, April 11, 1923; and,

WHEREAS, This Legislature deems it an extreme honor to be able to receive this eminent gentleman; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee from the Legislature, composed of three members of the Senate, to be appointed by the Lieu-

tenant Governor, and a like number from the Assembly, to be appointed by the Speaker, are hereby authorized to meet the Honorable Henry C. Wallace upon his arrival in Sacramento, and to escort him to the Assembly Chamber; and, be it further

Resolved, That the Senate and Assembly meet jointly in the Assembly Chamber at 2:30 p.m. to receive the Honorable Henry C. Wallace, Secretary of Agriculture.

Lieutenant Governor C. C. Young, President of the Senate, and Hon. Frank F. Merriam, Speaker of the Assembly, presiding.

The President of the Senate declared a quorum of the Senate present.

The Speaker of the Assembly declared a quorum of the Assembly present.

REPORT OF SELECT COMMITTEE.

Senators Rush, Boggs, and Godsil, and Assemblymen Stow, Woodbridge, and McMillan appeared at the bar of the House, and announced to the Speaker of the Assembly the presence of Honorable Henry C. Wallace, Secretary of Agriculture of the United States, and His Excellency Friend Wm. Richardson, Governor of the State of California.

At the invitation of Hon. Frank F. Merriam, Speaker of the Assembly, the Secretary of Agriculture of the United States and the Governor of California were escorted to the platform by the following committee: Senators Rush, Boggs, and Godsil, and Assemblymen Stow, Woodbridge, and McMillan.

ADDRESS BY GOVERNOR RICHARDSON.

On invitation of Hon. Frank F. Merriam, Speaker of the Assembly, Governor Friend Wm. Richardson addressed the Joint Convention:

ADDRESS BY UNITED STATES SECRETARY OF AGRICULTURE WALLACE.

On invitation of Governor Richardson, Hon. Henry C. Wallace, Secretary of Agriculture of the United States, addressed the Joint Convention.

ADDRESS BY LIEUTENANT GOVERNOR C. C. YOUNG.

On invitation of Hon. Frank F. Merriam, Speaker of the Assembly, Hon. C. C. Young, Lieutenant Governor of California, expressed appreciation of the visit by United States Secretary of Agriculture Wallace and Governor Richardson to the Joint Convention.

ADJOURNMENT.

There being no further business, at three o'clock and ten minutes p.m., the President of the Senate adjourned the Joint Convention, sine die.

IN SENATE.

RECONVENED.

At three o'clock and twenty minutes p.m., the Senate reconvened. Senator Nelson in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 459—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with

the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—and reports that the same has been correctly engrossed.

HANDY, Vice Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER.)

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 18—Relative to drafting a resolution of respect on the death of Gustave H. Douglas—has had the same under consideration, and respectfully reports the same back, and recommends that the resolution be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Concurrent Resolution No. 18 ordered on file.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The acting President announced the appointment of Senators Carr, Inman and Johnson, M. B., as a Committee on Conference to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 269.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The acting President announced the appointment of Senators Powers, Handy and Boggs as a Committee on Conference, to meet with a like committee from the Assembly, to consider Assembly amendments to Senate Bill No. 19.

THIRD READING ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 112—An act to amend section 11 of an act entitled “An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated, providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropria-

tion; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Assembly Bill No. 112 to Senator Sample as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 51, of the printed bill, strike out all of the line after and following the word "that" and all of line 52. On page 4 of the printed bill, strike out all of lines 1 to 6 inclusive and all of line 7 down to and including the word "pending" and insert in lieu thereof the following: "said period of ten consecutive years shall be exclusive of the period of time during which there is pending any action or proceeding to condemn any lands riparian to any stream or any rights, powers or privileges to use the waters of any stream upon lands riparian to such stream or to condemn rights essential to use the waters of any such stream".

The question being on the motion to refer to a Special Committee of One to amend.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Harris, Dennett and Inman.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Chamberlin, Eden, Gates, Dr., Gates, E. J., Gray, Hart, Johnson, A. B., Swing, and West—14.

NOES—Senators Boggs, Dennett, Godsil, Handy, Harris, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, and Slater—20.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 112 finally passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Carr, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, and Slater—30.

NOES—Senators Allen, and Chamberlin—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF SENATE BILL (OUT OF ORDER).

Senate Bill No. 459—An act making appropriations for the support of the government of the State of California and for several public

purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

On motion of Senator Gates, E. J., Senate Bill No. 459 re-referred to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Assembly Bill No. 17 passed on file.

Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway.

Assembly Bill No. 175 passed on file.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Assembly Bill No. 847 passed on file.

Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Assembly Bill No. 150 passed on file.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

Assembly Bill No. 1148 passed on file.

Assembly Bill No. 541—An act to amend section 1184a of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 541 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Denney, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1169 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the bureau of labor statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

SPECIAL ORDER.

Senator Murphy moved that Assembly Bill No. 85 be made a special order for Thursday, April 12, 1923, at twelve o'clock.

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the bureau of labor statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

SPECIAL ORDER.

On motion of Senator Murphy, Assembly Bill No. 86 was made a special order for Thursday, April 12, 1923, at twelve o'clock.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

Assembly Bill No. 250 passed on file.

Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascer-

tainment and establishment of the presumption of death in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1213 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson Osborne Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 322 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1277—An act validating toll bridge franchises for terms expressly limited to not exceeding thirty years heretofore granted by boards of supervisors of the several counties of the State of California.

Assembly Bill No. 1277 passed on file.

MOTION TO RECONSIDER.

Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Arbuckle, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 257 was reconsidered, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (OUT OF ORDER).

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent

of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 115 to Senator Johnson, M. B., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill as amended, strike out the word "or" after the word "weight" and insert in lieu thereof the word "and".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill as amended, strike out all of lines 18 to 22, inclusive, and insert in lieu thereof the following:

"Sec. 30. Chief of division may appoint inspectors and traffic officers.

The chief of the division of motor vehicles is hereby authorized to appoint all necessary state inspectors at large and in addition thereto a sufficient number of state inspectors and traffic officers to enforce the provisions of this act in each of the counties of the state and all inspectors and traffic officers appointed as provided herein are hereby vested with the authority of peace officers for the purpose of enforcing the provisions of this act.

Boards of supervisors in their respective counties and the chief of the division of motor vehicles are hereby authorized to enter into contracts providing for the appointment by the chief of the division of a sufficient number of inspectors and traffic officers to serve in such counties respectively and providing for the amount of their compensation.

Boards of supervisors in their respective counties may submit to the chief of the division a list of names of proposed traffic officers from which list the chief of the division may in his discretion make such appointments.

The compensation of such inspectors and traffic officers appointed to serve in any particular county shall be paid by the state out of that portion of the net receipts of the motor vehicle fund which such county is entitled to receive under the provisions of this act.

Inspectors and traffic officers appointed pursuant to contracts entered into as herein authorized shall be exempt from the provisions of an act entitled: "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the willful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor."

AMENDMENT NUMBER THREE.

On page 4, line 38, of the printed bill as amended, after "Sec. 33," insert the words, "Division may maintain stations."

AMENDMENT NUMBER FOUR.

On page 5, line 7, of the printed bill as amended, strike out "41. Registration certificates," and insert in lieu thereof "41. Certificates of registration and ownership."

AMENDMENT NUMBER FIVE.

On page 6, line 19, of the printed bill as amended, after "Sec. 40," insert the words "Records to be posted."

AMENDMENT NUMBER SIX.

On page 6, line 19, of the printed bill as amended, strike out the word "registration" and insert in lieu thereof the word "registrations".

AMENDMENT NUMBER SEVEN.

On page 9, line 26, of the printed bill as amended, strike out the word "this" and strike out all of lines 27 and 28.

AMENDMENT NUMBER EIGHT.

On page 11, line 26, of the printed bill as amended, strike out the word "Licenses" and insert in lieu thereof the words "When licenses".

AMENDMENT NUMBER NINE.

On page 13, line 46, of the printed bill as amended, after the word "compensation," insert the following words, "for a period longer than twelve hours."

AMENDMENT NUMBER TEN.

On page 14, line 13, of the printed bill as amended, strike out "71. Endorsement of conviction upon license certificates," and insert in lieu thereof the following: "71. Licensed chauffeur need not obtain operator's license."

AMENDMENT NUMBER ELEVEN.

On page 21 of the printed bill, between lines 8 and 9, insert the following as a paragraph:

"(d) If the license tax provided for by that certain act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith", heretofore or hereafter adopted by the legislature at its forty-fifth session is held by the supreme court of the State of California, or by the supreme court of the United States, to be unconstitutional then beginning with the first year next succeeding the date upon which such decision becomes final there shall be paid upon and for the registration and re-registration of every motor vehicle with the division of motor vehicles, in addition to any other fees imposed by law, a registration fee amounting to the sum of forty cents for each horsepower or major fraction thereof of such motor vehicle and a proportionate amount thereof for the registration of such vehicle for a period of less than one year. The horsepower of any motor vehicle, except electric or steam driven vehicles, shall be determined by the formula commonly known as that of the association of licensed automobile manufacturers (A. L. A. M.), being as follows: square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by two and five-tenths; *provided*, that for the purposes hereof the horsepower of any steam driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof. In the event that registration fees based on horsepower as hereinabove specified shall be collected, all such fees shall be paid into the motor vehicle fund of the State of California, and shall be distributed and used for such purposes as may be provided by law for the distribution and use of said motor vehicle fund; *and provided, further*, that in the event the provisions of this section, relative to registration fees, based upon horsepower rating, shall become effective the provisions of this section contained in subdivisions (a) and (b) shall be deemed to be superseded."

AMENDMENT NUMBER TWELVE.

On page 22, line 36, of the printed bill as amended, strike out "SS. Local authorities may increase or decrease weight limits," and insert in lieu thereof the following: "SS. Authority of local bodies to regulate weight limits declared."

AMENDMENT NUMBER THIRTEEN.

On page 22, line 45, of the printed bill as amended, in heading of section 101, strike out the words "or headlights," and insert in lieu thereof the words "of headlights."

AMENDMENT NUMBER FOURTEEN.

On page 22, line 52, of the printed bill as amended, strike out the words "Red lights" and insert in lieu thereof "No red light".

AMENDMENT NUMBER FIFTEEN.

On page 23, line 19, of the printed bill as amended after the word "passenger" insert the words "or property".

AMENDMENT NUMBER TWENTY EIGHT.

On page 34, line 10, of the printed bill as amended, strike out "119. Appearance upon an arrest for speeding." and insert in lieu thereof the following: "119. Appearance upon an arrest for misdemeanor."

AMENDMENT NUMBER TWENTY-NINE.

On page 34, line 16, of the printed bill as amended, strike out the following: "125. Give way to overtaking vehicle." and insert in lieu thereof the following: "125. Overtaking a vehicle."

AMENDMENT NUMBER THIRTY.

On page 34, line 17, of the printed bill as amended, strike out "126. Overtaking vehicle." and insert in lieu thereof the following: "126. Give way to overtaking vehicle."

AMENDMENT NUMBER THIRTY-ONE.

On page 34, line 29, of the printed bill as amended, strike out "143. Provision" and insert in lieu thereof the following: "143. Provisions".

AMENDMENT NUMBER THIRTY-TWO.

On page 38 of the printed bill as amended, strike out all of lines 24 to 46 inclusive and insert in lieu thereof the following:

"Sec. 121. Unlawful to exceed speed limit which is safe upon bridges. It shall be unlawful for the owner, operator, driver or mover of any vehicle, object or contrivance to move, operate, or drive the same over any public bridge, causeway, viaduct, trestle or dam, at a speed which is greater than the maximum speed which can with safety to such bridge, causeway, viaduct, trestle or dam, be maintained thereon. Whenever, in the judgment of the California Highway Commission, any public bridge, causeway, viaduct, trestle or dam cannot, with safety to itself, sustain vehicles or objects driven or moved at the maximum rate of speed permitted under this act, or upon the request of any board of supervisors or any other body having jurisdiction thereof, it shall be the duty of the California Highway Commission to cause an engineering investigation to be made and to publicly hear and cause the results thereof, and any other evidence that may be offered as to the maximum rate of speed of vehicles which may be sustained by such bridge, causeway, viaduct, trestle or dam with safety to itself, and to determine and declare in writing the maximum speed capable of being maintained thereon which shall not be less than fifteen miles per hour. Such Commission shall, after it finds and declares such bridge, causeway, viaduct, trestle or dam incapable of sustaining vehicles moved or operated at the maximum speed permitted by this act, cause or permit suitable signs to be erected and maintained specifying the maximum speed of vehicles which such bridge, causeway, viaduct, trestle or dam is capable of sustaining, such signs to be placed at a distance of not less than one hundred feet or more than one hundred and fifty feet from each of the approaches thereto. Upon the trial of any person charged with violating the provisions of this section, a certified copy of the finding of such commission shall be prima facie evidence as to the maximum speed of vehicles which such bridge, causeway, viaduct, trestle or dam is capable of sustaining with safety to itself; upon such trial it shall also be necessary for the prosecution to prove the erection and existence, in accordance with the terms hereof of the signs herein specified."

AMENDMENT NUMBER THIRTY-THREE.

On page 41, line 11, of the printed bill as amended, after the period insert the following: "All such fees shall be paid by the division into the state treasury and deposited in a fund to be known as the signal device testing fee fund, and the moneys in such fund, or so much of them as may be necessary, are hereby appropriated to meet the expenses of the test provided for in this section, and the balance thereof, if any, shall be paid into the motor vehicle fund."

AMENDMENT NUMBER THIRTY-FOUR.

On page 45, line 20, of the printed bill as amended, after the word "driving" insert the word "vehicle".

AMENDMENT NUMBER THIRTY-FIVE.

On page 48, line 38 of the printed bill as amended, after the words "net receipts" insert the following: ", (comma) less any amounts that may have been expended under the provisions of this act to pay the compensation of state inspectors and traffic officers employed and serving in particular counties,".

AMENDMENT NUMBER THIRTY-SIX.

On page 50 of the printed bill as amended, strike out all of lines 21 to 52, both inclusive, and on page 51 strike out all of lines 1 to 7, both inclusive, and insert in lieu thereof the following: "be paid into the city treasury and deposited in a special fund to be known as the "street improvement fund", which is hereby created and

which shall be used exclusively in the construction, maintenance and improvement of public streets, bridges and culverts within such city. Failure, refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 115, with instructions to amend, respectfully reports the same back, amended as per instructions.

JOHNSON, M. B., Special Committee.

Report read, and on motion of Senator Breed, adopted.

Bill ordered to print, and re-engrossment.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Hughes:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights-of-way for roadways thereto.

Referred to Committee on Rules.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Senator Breed, Senator Nelson declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, April 12, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sherkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 11, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to G. F. Montford of Los Angeles.

On request of Senator Burnett, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Burt L. Davis of San Francisco.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Cyril L. Cairns, editor of the Martinez Daily Standard.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the public speaking class of Junior College, Sacramento:

Teacher—Jeannette Minard. Pupils—C. A. Beach, Dair Davidson, James Sherritt, Lovett Chan, Irvin Ford, G. Laidlaw, P. Westerberg, B. Gilmore, B. Herold, M. Shreck, O. Blumberg, Chas. O. Busick, Jr., F. G. Sommers, Jr., J. H. Marsh, L. DeWitt Spark, Roy E. Portman, Clyde Seavey, Wilmer Morse, A. McDougall, R. G. Batte, Richard Link, Llewellyn Penny, and Geneva Barker.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss M. McArthur of Sacramento, Mrs. Albert I. Loeb and Albert I. Loeb of San Francisco.

PETITION.

The following petition was presented by Senator McDonald and ordered printed in the Journal:

I favor the new pension law as presented by the San Francisco Teachers' Association, and endorsed by the Legislative Committee of the California Teachers' Association—Senate Bill No. 127.

GEO. W. HALL.

And 57 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235a, relating to county recorders of counties of the sixth class and the expenses of their offices—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 9 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 134 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 516—An act to amend the title of, and to add a new section to be numbered 8 to an act entitled "An act to provide for public cemetery districts,"

approved March 6, 1909, as amended, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Senate Bill No. 516 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 1177 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District:

Also: Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership: 7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Assembly Bills Nos. 346 and 543 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Senate Bill No. 486 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee Membership—11; committee vote: Ayes—6; absent—5.

INMAN, Chairman.

Senate Bill No. 708 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 141—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division 1 of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, and as amended by chapter CXX of the laws of 1917, approved April 24, 1917, by amending section 50 thereof, providing for the regulation of vessels operating on the inland waters of this State:

Also: Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and

the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

INMAN, Chairman.

Senate Bills Nos. 141 and 142 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hughes to introduce a bill entitled—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Hughes: Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto.

Senate Bill No. 716 read first time, and referred to Committee on Judiciary.

RE-REFERENCE OF BILL.

On request of Senator Slater, Assembly Bill No. 896 was taken from Committee on Elections and re-referred to Committee on County Government.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Rush:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1125 of the Political Code, relating to election precincts.

Referred to the Committee on Rules.

Also:

By Senator Allen:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements" approved April 20, 1915, as amended.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rush to introduce a bill entitled—An act to amend section 1125 of the Political Code, relating to election precincts—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Beggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Rush: Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

Senate Bill No. 717 read first time, and referred to Committee on Elections.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

After the enacting clause, insert the following:

"Section 1. Section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, is hereby amended to read as follows:".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of lines 18 to 22 inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 667—An act to provide for the inspection and grading of lubricating oils under the direction of the Department of Agriculture.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of line 2 of the title following the word "direction", all of line 3 thereof and insert in lieu thereof the following: "of the department of public works".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period insert the following: "Every lot of lubricating oil when sold, offered or exposed for sale in the State of California shall bear a label or brand plainly marked to show the viscosity, flash and fire, pour point, and carbon residue tests and in all sales of such oil of one gallon or more in bulk from tank wagons or otherwise a sales tag shall be delivered to the purchaser of such oil which shall show the above mentioned tests of such oil."

SEC. 2. The duty of enforcing this act and carrying out these provisions and requirements hereof shall be vested in the director of the department of public works. The director of the department of public works is hereby empowered to adopt from time to time such reasonable rules and regulations not in conflict with the law as he may deem necessary to carry out the provisions of this act. All tests made hereunder shall be made and marked according to the methods for testing petroleum products adopted by the United States interdepartmental petroleum specifications committee as set forth and delineated in technical paper 323 of the department of the interior bureau of mines. The said director of public works shall cause laboratory tests to be made in conformity to said methods and may publish or cause to be published the results of the examinations and analysis and tests of any lubricating oil examined by him.

SEC. 3. It shall be the duty of the said director of the department of public works either by him or his duly authorized agents to inspect and examine and make analysis of and tests any lubricating oil sold, offered or exposed for sale within this state at such time and place and to such extent as he may determine. The director of the department of public works and his agent shall have free access at all reasonable hours to any premises or structures to make examination of any such lubricating oil whether such lubricating oil is upon the premises of the owner or consignee of such lubricating oil or on the premises or in the possession of any warehouse, railway, steamship or transportation company and the director of the department of public works is hereby given authority in person or by his agents upon notice to the dealer, his agent or representative of any warehouse, railway, steamship or transportation company, if present, to take for analysis a sample or samples of such lubricating oil upon payment of reasonable purchase price for the same when demanded.

In case a sample taken as provided herein upon test or analysis is found to fall below the statement on the label or brand or sales tag attached to the lot from which such sample was secured or to violate any of the provisions of this act, the vendor or consignee of said lot of lubricating oil shall be notified and a copy of such notice shall be mailed to the person, firm or corporation whose tag or label or brand was found attached thereto.

SEC. 4. Any citizen of this state shall have the privilege of submitting to the director of public works samples of lubricating oil for test and analysis, subject to such rules and regulations as may be adopted by said director of public works, *provided*, that the director may by such regulations fix the maximum number of samples that may be tested free of charge for any one citizen in any period of time and fix charges for tests of samples submitted in excess of those tested free of charge.

SEC. 5. Any person, firm, or corporation, that shall fail, neglect or refuse to affix to the package or other container in which lubricating oil is sold the label or brand provided for herein or shall fail to mark the same in the manner herein provided or fail to deliver the sales tag herein specified, or who shall affix to any such package or other container any label or brand containing any false statement of any matter or thing required by the provisions hereof or shall in any manner interfere with or obstruct the taking of samples of such lubricating oil, shall be punished by a fine of not more than five hundred dollars or imprisonment in the county jail for not more than six months or both: *provided*, that for a second or subsequent offense a fine, if imposed, shall not be less than one hundred dollars.

SEC. 6. None of the provisions of this act shall apply to lubricating oil produced or compounded in this state when sold for export and used out of this state or to lubricating oil imported into this state in interstate or foreign commerce and intended to be sold in the original and unbroken tank cars or other original receptacles, containers, or packages and so sold while the same are in interstate or foreign commerce.

SEC. 7. All acts and parts of acts inconsistent with this act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Constitutional Amendment No. 25 -A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the judicial department.

COMMITTEE AMENDMENT.

During the second reading of Senate Constitutional Amendment No. 25, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 51, of the printed bill as amended, strike out the words "hereinafter provided" and insert in lieu thereof the following: "in this article provided, anything in this constitution to the contrary notwithstanding."

Amendment adopted.

Resolution read, and ordered to print, engrossment, and on file.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out the title and insert in lieu thereof the following title:

"An act to add a new section to the Code of Civil Procedure to be designated section two hundred sixty, relating to the court commissioner in counties of the first class."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out the whole thereof after the words "Section 1," and insert in lieu thereof the following: "A new section is hereby added to the Code of Civil Procedure to be numbered two hundred sixty and to read as follows:

260. In counties of the first class the court commissioner provided for by section two hundred fifty-eight of this code shall receive a salary of two hundred fifty dollars per month, which shall be in full compensation for all services performed by him as such commissioner and in lieu of the fees and charges mentioned in section two hundred fifty-nine of this code. Such salary shall be paid by the county and shall be audited, allowed and paid out of the general fund thereof. Such commissioner shall not retain for his own use or benefit any fees or charges collected by him for the performance of official acts, but he shall account for and pay the same to the county treasurer as provided by law in the case of other county officers who charge and collect fees."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

On motion of Senator Carr, Senate Bill No. 448 was passed on file.

Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing

for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

On motion of Senator Carr, Senate Bill No. 450 was passed on file.

Senate Bill No. 378—An act to add a new section to the Political Code, to be numbered 1705, and to amend section 1734*b* of the Political Code, relating to public school teachers and to high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 378 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Slater, and West—30.

NOES—Senator Rush—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts.

SPECIAL ORDER.

On motion of Senator Eden, Senate Bill No. 30 was made a special order for Wednesday, April 18, 1923, at twelve o'clock.

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating

public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

On motion of Senator Breed, Senate Bill No. 115 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gray moved to refer Senate Bill No. 126 to Senator Murphy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 28, of the printed bill, strike out the following: "fifty dollars (\$50)" and insert in lieu thereof the following: "five dollars (\$5)".

AMENDMENT NUMBER TWO.

On page 2, lines 12 and 13, of the printed bill, strike out the words "an approved and accredited school", and insert in lieu thereof the following: "such a school approved and accredited by the state board of dental examiners."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, after line 37, add the following:

"No school shall hold itself out as giving instruction in the courses and subjects mentioned in this section, unless it has been approved and accredited by the state board of dental examiners."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 126, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Gray, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773 and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

On motion of Senator Gray, Senate Bill No. 125 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a.

On motion of Senator Eden, Senate Bill No. 293 was passed on file.

Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

On motion of Senator Ingram, Senate Bill No. 96 was passed on file.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the State of Arizona opposite the town of Topoc, Arizona, to be a State highway.

On motion of Senator Swing, Senate Bill No. 305 was passed on file.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on file.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

On motion of Senator Breed, Senate Bill No. 436 was passed on file.

Senate Bill 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than \$10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 580 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Iuman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

On motion of Senator Breed, Senate Bill No. 191 was passed on file.

RE-REFERENCE OF BILL.

On request of Senator Johnson, M. B., Senate Bill No. 657 was taken from Committee on Finance and ordered re-referred to Committee on Agriculture and Live Stock.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Arbuckle moved to reconsider the vote whereby Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913—was passed.

The question being on the motion to reconsider.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Arbuckle moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—36.

The Secretary announced the absentees.

Time, twelve o'clock and ten minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 11, 1923, passed as amended, Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED NINETY-EIGHT.

Senator Lyon was granted unanimous consent to take up Senate Bill No. 598.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED NINETY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the words "designated as chapter-----, laws of 1923".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 598?"

The roll was called, and Assembly amendment to Senate Bill No. 598 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.
NOES—None.

Senate Bill No. 598 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED.

Senator Arbuckle asked for and was granted unanimous consent to take up Senate Bill No. 400.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED.

AMENDMENT NUMBER ONE.

In line 5 of the printed bill, strike out the comma after the word "crops".

AMENDMENT NUMBER TWO.

In line 5 of the printed bill, after the words "crops and", insert the word "of".

AMENDMENT NUMBER THREE.

In line 6 of the printed bill, strike out the words "expert entomologists" and insert in lieu thereof the word "experts".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 400?"

The roll was called, and Assembly amendments to Senate Bill No. 400 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Hanly, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. R., Johnson, M. R., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Senate Bill No. 400 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly April 11, 1923, passed Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block books.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Bill No. 693 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11, 1923, passed the following:

Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law;

Also: Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036a, relating to foreign depositions;

Also: Senate Bill No. 517—An act to amend section 5 and section 7 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables; to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Senate Bills Nos. 152, 156 and 517 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 11, 1923, passed as amended, Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FORTY-THREE.

Senator Sharkey was granted unanimous consent to take up Senate Bill No. 443.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill strike out the word "or" and insert in lieu thereof the word "of".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 443?"

The roll was called, and Assembly amendment to Senate Bill No. 443 concurred in by the following vote:

AYES—Senators, Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Senate Bill No. 443 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11, 1923, adopted the following:

Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922:

Also: Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Senate Concurrent Resolutions Nos. 16 and 20 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11, 1923, adopted Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing and sparring matches or exhibitions.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Constitutional Amendment No. 6 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11, 1923, adopted Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor.

ARTHUR A. OHNIMUS, Chief Clerk.

By WALTER J. HICKS, Assistant Clerk.

Assembly Joint Resolution No. 21 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11, 1923, passed the following:

Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, The California School For Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, by adding a new section to be numbered 22a, relating to maintenance of public schools in detention homes:

Also: Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement:

Also: Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered, 146a, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes:

Also: Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests:

Also: Assembly Bill No. 949—An act to amend section 607 of the Code of Civil Procedure, relating to the conduct of trial in civil cases and the order of proceeding on trial.

ARTHUR A. OLLIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 2 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 35 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 160 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 251 read first time, and referred to Committee on Elections.

Assembly Bill No. 949 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11, 1923, passed the following:

Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, counties and counties, school districts or municipalities, and providing under what circumstances the use of bonds or irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 3b thereof, relating to consent of commission for expenditure of funds:

Also: Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633d, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State:

Also: Assembly Bill No. 677—An act to amend section 633ab of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations:

Also: Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury;

Also: Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607a, relating to the publication of annual reports and courses of study by city boards of education.

ARTHUR A. OHNIMUS, Chief Clerk.
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 580 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 586 read first time, and referred to Committee on Insurance.

Assembly Bill No. 677 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 697 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 865 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 723 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11, 1923, passed the following.

Assembly Bill No. 256—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended;

Also: Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919;

Also: Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations;

Also: Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments;

Also: Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32b, relating to the creation of an irrigation district bond security fund.

ARTHUR A. OHNIMUS, Chief Clerk
By WALTER J. HICKS, Assistant Clerk.

Assembly Bill No. 256 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 289 read first time, and referred to Committee on Elections.

Assembly Bill No. 429 read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 571 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 579 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 19—An act providing for the organization and government of drainage districts and

providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water and appointed Assemblymen Bernard, Crittenden, and Erb, as a Committee on Conference to meet a like Committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law—and appointed Assemblymen Noyes, Dean, and Erb as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Allen to introduce a bill entitled—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership 5; committee vote: Ayes 5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West 36.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Allen: Senate Bill No. 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Senate Bill No. 718 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 657—An act authorizing the creation of a Bureau of Capriculture in the Department of Agriculture; to promote the development of the California goat

industry; to establish standards of sanitation in the conduct of the milk goat industry, and of the chemical and physical properties of goat milk and other goat dairy products used for public consumption, and to provide for the issuance of permits authorizing the conduct of dairies furnishing (selling) goat milk—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

BOGGS, Chairman.

Senate Bill No. 657 ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Arbuckle.

The Secretary was directed to call the roll, on reconsideration of bill, of the Senators who had not answered to their names.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 257 was passed was refused by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Johnson, A. B., Lyon, Nelson, Rominger, and West—18.

NOES—Senators Allen, Canepa, Crowley, Dennett, Godsil, Harris, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—21.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Swing asked for and was granted permission to be excused for the remainder of the legislative day and Friday.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—14; committee vote: Ayes—6; noes—3; absent—5.

JONES, Chairman.

Senate Bill No. 710 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 712—An act to amend sections 392, 393, 395, and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, Chairman.

Senate Bill No. 712 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints;

Also: Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, Chairman.

Senate Bills Nos. 711 and 713 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 131—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Also Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to minor high schools.

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 896—An act to provide for the organization and government of public park districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 9; committee vote: Ayes: 6, absent: 3.

SWING, Chairman.

Assembly Bill No. 896 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Canepa:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 2457 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senators Luman, Jones, Nelson, Allen, Boggs, Murphy, Osborne, Sharkey, Slater, Ingram, Hughes, and Harris: Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

Senate Joint Resolution No. 19 referred to Committee on Federal Relations.

SPECIAL ORDER RESOL.

On motion of Senator Murphy, the consideration of Assembly Bill No. 86, heretofore set as special order for this time, was reset as special order for consideration at three o'clock p.m.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in

this State who may hereafter die without leaving sufficient means to defray funeral expenses." approved March 15, 1889, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 328—An act to add a new section, to be numbered 1a, to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 28, of the printed bill, strike out the word "alien" and insert in lieu thereof the word "person".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the word "any" and insert in lieu thereof the words "a substantial".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 31—An act to amend section 19.10 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and

all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

Assembly Bill No. 250 passed on file.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate in the chair.
Joseph A. Beek, Secretary of the Senate, at the desk.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1263 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, and Slater—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1032 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, and Slater—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 81—An act creating a state commission on voting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 81 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Handy, Hart, Ingram, Inman, Lewis, McDonald, Murphy, Powers, Sample, Sharkey, Slater, and West—22.

NOES—Senator Eden—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 307 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Ingram, Johnson, M. B., Lewis, McDonald, Murphy, Powers, Sample, Sharkey, Slater, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 938 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Powers, Sample, Sharkey, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 205—An act to amend section 1739a of the Political Code, relating to high school districts.

SENATOR BOGGS IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Senator Boggs of the tenth district was called to the chair.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 205 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the congress of the United States known as the "Sheppard-Towner" Act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Assembly Bill No. 283 passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 46.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its forty-fifth session commencing on the eighth day of January, one thousand nine hundred twenty-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, proposes to amend section 16½ of article XI of the constitution to read as follows:

Sec. 16½. All moneys belonging to, or in the custody of, the State, or any county, city and county, city, town, municipality, or other political subdivision, within this State may be deposited in any national bank or banks within this State, or in any bank or banks organized under the laws of this State, in such manner and under such conditions as may be provided by any law adopted by the people under the initiative or by a two-thirds vote of each house of the Legislature and approved by the Governor and subject to the referendum; *provided*, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized; *and provided, further*, that the State or any county, city and county, city, town, municipality, or other political subdivision issuing bonds under the laws of this State, may deposit moneys in any bank or banks outside this State for the payment of the principal or interest of such bonds at the place or places at which the same are payable.

Assembly Constitutional Amendment No. 46 read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 46 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Assembly Constitutional Amendment No. 46 ordered transmitted to the Assembly.

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Assembly Bill No. 17 passed on file.

Assembly Bill No. 1277—An act validating toll bridge franchises for terms expressly limited to not exceeding thirty years heretofore

granted by boards of supervisors of the several counties of the State of California.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1277 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Croighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West 30.

NOES None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway.

Assembly Bill No. 175 passed on file.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Assembly Bill No. 847 passed on file.

Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Assembly Bill No. 150 passed on file.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

Assembly Bill No. 1148 passed on file.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

Assembly Concurrent Resolution No. 13 passed on file.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 262—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law—report that we have met a like committee of the Assembly, consisting of Assemblymen Noyes, Dean and Erb; and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

CARR.

INMAN.

JOHNSON, M. B.

Senate Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Jones, Lyon and Nelson, as a Committee on Free Conference to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 269.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water—report that we have met a like committee of the Assembly, consisting of Assemblymen Bernard, Crittenden and Erb; and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

POWERS,
HANDY,
BOGGS.

Senate Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Eden, Harris and Handy, as a Committee on Free Conference to meet with a like committee from the Assembly to consider Assembly Amendments to Senate Bill No. 19.

REPORTS OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 423—An act relating to the control and eradication of contagious and infectious diseases among domestic live stock; authorizing the Director of Agriculture to employ during the seventy-fifth and seventy-sixth fiscal years such employees as he may deem necessary to assist in the control and eradication of communicable diseases affecting domestic live stock, and making an appropriation therefor:

Also: Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act:

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 647—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921:

Also: Senate Bill No. 687—An act to add a new section to the Political Code to be numbered 738cc, relating to the salaries of superior judges:

Also: Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650d, relating to assessments:

Also: Senate Bill No. 720—An act to amend section 701 of the Political Code, relating to notaries public:

Also: Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and

disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof:

Also: Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure to be designated as section 1248a, relating to proceedings for the condemnation of property when there are adverse or conflicting claims in and to such property:

Also: Senate Bill No. 364—An act to amend section 4153 of the Political Code, relating to duties of the district attorney:

Also: Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains:

Also: Senate Bill No. 174—An act declaring and establishing a State highway between Alturas, in Modoc County, and New Pine Creek on the California-Oregon state line:

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 86, heretofore set as a special order for three o'clock p.m., the same was taken up for consideration.

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carr moved to refer Assembly Bill No. 86 to Senator Gates, E. J., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, strike out the period and parenthesis following the word "compensation" and insert in lieu thereof a comma and the following: "Nor to employment agencies which procure employment for persons as teachers exclusively, or employment for persons in technical or executive positions in recognized educational institutions."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 86, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, E. J., Special Committee.

Report read, and on motion of Senator Carr, adopted.

Bill ordered to print, and re-engrossment.

ROLL CALL DEMANDED.

A roll call was demanded by Senators Slater, Jones and Crowley on report of Special Committee of One to amend Assembly Bill No. 86.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Creighton, Eden, Gates, E. J., Handy, Hughes, Johnson, A. B., Johnson, M. B., Rush, Sample, Sharkey, and West—17.

NOES—Senators Canepa, Chamberlin, Crowley, Dennett, Gates, Dr., Godsfil, Gray, Hart, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, and Slater—21.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 was refused passage by the following vote:

AYES—Senators Boggs, Canepa, Crowley, Dennett, Gates, Dr., Godsfil, Harris, Hughes, Hurley, Ingram, Inman, Jones, Lewis, McDonald, Nelson, Osborne, Powers, Sharkey, and Slater—19.

NOES—Senators Allen, Arbuckle, Breed, Burnett, Carr, Chamberlin, Creighton, Eden, Gates, E. J., Gray, Handy, Hart, Johnson, A. B., Johnson, M. B., Lyon, Murphy, Rominger, Rush, Sample, and West—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Murphy gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 86 was refused passage.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Canepa to introduce a bill entitled—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—33.

NOES—None.

INTRODUCTION FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Canepa: Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals.

Senate Bill No. 719 read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 325—An act to amend an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

HART, Chairman.

Senate Bill No. 325 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 488—An act to amend sections 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i, and 2322j of the Political Code, relating to agriculture—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—

(OUT OF ORDER).

Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

On motion of Senator Slater, Senate Bill No. 311 was passed on file.

ADJOURNMENT.

At five o'clock and thirty minutes p.m., on motion of Senator Breed, Senator Boggs declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, April 13, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkoy, Slater, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 12, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Sister Mary of St. Aloysius, Sister Xaveria and Sister Margaret, Sisters of Notre Dame.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Walter Sink of Cloverdale and Hon. Bismarck Bruck of St. Helena.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following:

Pittsburg Grammar School: Pupils: Salvatore Bruno, Angelina Belleci, Frances Russo, Lena Usino, Mary Ferranti, Mildred Jones, Dorothy Learmonth, Mildred Buzzacott, Mary DiMaggio, Mamie Aiello, Victor Erierson, Michael Gatto, Hannah Jones, Antoniette Russo, Charles MacDonald, Joe Belleci, Lorraine Scudero, Marie Todero, Helen Davi, Ida DelMonte, Bessie Troia, Jack Gentile, Camille Scudero, Wayne McQuiddy, Ratzi Belleci, Walter Dungan, Melvin Filburn, Grace Muir, Alice MacDonald, Harriet Ferris, Catherine Shannon, Harry Hunn, Raphael Gonzalez, Beulah Moberly, Charles Bacon, Mildred Peirano, Jack Herbert, Bunner MacFarland, Bessie Russo, Antoniette Smario, Angelina Belleci, Vincent Pizzimenti, Salvatore Caruso, Nick Aliotti, Bert Davi, George Cowper, Neno Lucido, Antonietta Troia, Mamie J. Aiello, Ratzi Bruno, Salvatore Orno, and Frank Belleci.

Riverview Union High School: Teachers: R. E. Gibson, vice principal, Maude Van Densen, and Willa Middelhoff. Pupils: Joe Aiello, Margaret Berberich, Mary Arcardo, Angelina Cautiello, Horace Davi, Settemo Davi, Carol Davis, Dorothy Davis, Barney DiMaggio, Gladys Dellaven, Leslie Emmington, Frances Enea, Mike Evola, Robert Israel, Fay Loveridge, Frances Lucido, Ratzi Lucido, Stanley Mora, Etta McGlashan, Laurance Patterson, Evelyn Pratini, Alberta Parker, Lenora Straub, Ruby Teakle, Gwendolyn Wright, Bessie Frankel, Beatrice Patterson, Bernice Ward, Arleta Perry, Salvatore Promesso, Rosie Grillo, Mary Lucido, Elsie Affolter, Rosalie Haynes, Vincent Promesso, and Arthur Patterson.

RESOLUTION.

The following resolution was offered by Senator Arbuckle and ordered printed in the Journal:

WHEREAS, The third annual convention of the Woman's Auxiliary of the Department of California, Nevada and the Hawaiian Islands, of the Veterans of Foreign Wars of the United States, will be held in Sacramento on June 21, 22 and 23, 1923; and

WHEREAS, It is essential that a meeting place of suitable size and convenience be obtained to properly accommodate the personnel of this convention; and

WHEREAS, It is the desire of the Woman's Auxiliary of the Lieutenant Lansdale Post No. 67 of the Veterans of the Foreign Wars of the United States, whose headquarters are at Sacramento, and upon which post has developed the responsibility of making the arrangements for this convention, to secure the use of the Senate Chamber of the Legislature of the State of California as a meeting place for this convention; now, therefore, be it

Resolved by the Senate, That the Superintendent of Buildings and Grounds is requested to extend the use of the Senate chamber and the committee rooms of the Legislature of the State of California to the Woman's Auxiliary of the Lieutenant Lansdale Post No. 67 of the Veterans of Foreign Wars of the United States to be used for the purposes aforesaid; and be it further

Resolved, That a copy of this resolution be forwarded to the Superintendent of Capitol Buildings and Grounds.

Resolution read, and on motion of Senator Arbuckle adopted.

COMMUNICATION.

The following communication was received by Senator Rush and ordered printed in the Journal:

To the Lieutenant Governor and members of the Senate.

I have the pleasure on behalf of the Chamber of Commerce of Napa, of inviting you to join with the members of the Assembly to visit the Napa Valley on Saturday, April 21st.

Arrangements will be communicated at a later date.

Respectfully,

FRANK L. COOMBS.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Senate Bill No. 269, recommending the appointment of a Free Conference Committee, and the following Assemblymen were appointed: Badham, *chairman*, Morrison, and Mathews, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Senate Bill No. 19, recommending the appointment of a Free Conference Committee, and the following Assemblymen were appointed: Prendergast, *chairman*, Snyder, and Spalding, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 12 passed the following:

Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to peace officers:

Also: Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to escapes and attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work:

Also: Assembly Bill No. 983—An act to amend sections 2, 5, 16 and 17, of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered 24a, relating to the powers and duties of the Commissioner of Corporations:

Also: Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 143 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 939 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 983 read first time, and referred to Committee on Corporations.

Assembly Bill No. 478 read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

SLATER, Chairman.

Assembly Bill No. 315 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

SLATER, Chairman.

Senate Bill No. 523 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

SLATER, Chairman.

Senate Bill No. 717 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 247—An act amending sections 10 and 11 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

CROWLEY, Chairman.

Assembly Bill No. 247 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 317—An act authorizing counties, cities and counties to provide public entertainments and to charge admission therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to Committee on County Government.

Committee membership—15; committee vote: Ayes—15.

HARRIS, Chairman.

Assembly Bill No. 317 re-referred to Committee on County Government.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—15; committee vote: Ayes—15.

HARRIS, Chairman.

Senate Bill No. 417 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 212—An act to add a new section to the Political Code to be numbered

1731*a*, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

HARRIS, Chairman.

Senate Bill No. 212 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances;

Also: Assembly Bill No. 1091—An act to amend section 3*a* and section 3*c* of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—15.

HARRIS, Chairman.

Assembly Bills Nos. 1090 and 1091 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921;

Also: Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903;

Also: Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended;

Also: Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged lands by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator;

Also: Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration;

Also: Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents;

Also: Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property;

Also: Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease;

Also: Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379a, 379b, 379c, and 431, relating to joinder of parties to civil actions;

Also: Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions;

Also: Senate Bill No. 302—An act to amend section 626k of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims;

Also: Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole;

Also: Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions;

Also: Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums;

Also: Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure to be numbered section 349j, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced;

Also: Senate Bill No. 213—An act to amend section 628b, of the Penal Code, relating to the protection of fish;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this thirteenth day of April, 1923, at ten o'clock a.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of April, 1923, at four o'clock and thirty minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 822—An act granting to municipal corporations of the

State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bill No. 832 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts;

Also: Assembly Bill No. 476—An act to amend section 7 of an act entitled, "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bills Nos. 115 and 476 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended;

Also: Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Senate Bills Nos. 95 and 698 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1149—An act to amend section 633a of the Political Code, relating to licensing of insurance and surety brokers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

BURNETT, Chairman.

Assembly Bill No. 1149 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed, out)

ALLEN, Chairman.

HART.

SAMPLE.

GRAY.

CROWLEY.

GODSIL.

McDONALD.

RUSH.

CARR.

Assembly Bill No. 185 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

OSBORNE, Chairman.

Assembly Bill No. 18 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

CHAMBERLIN, Chairman.

Senate Bill No. 287 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Corporations, to which was referred Assembly Bill No. 983—An act to amend sections 2, 5, 16 and 17, of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered 24a, relating to the powers and duties of the Commissioner of Corporation—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—none.

CHAMBERLIN, Chairman.

Assembly Bill No. 983 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 9—An act to add a new section to the Political Code, to be numbered 4235a, relating to county recorders of counties of the sixth class and the expenses of their offices.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 7 after the word "folio" and all of line 8, to and including the word "recording".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 7 to 13, both inclusive, and in lieu thereof insert the following:

1. County clerk and recorder, two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there hereby is allowed to the county clerk and recorder one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum, one deputy who shall receive a salary of one thousand two hundred dollars per annum, and one deputy who shall receive a salary of nine hundred dollars per annum, and in each year in which a new and complete registration of voters is required by law, he shall appoint as many deputy registration clerks as may be necessary for the convenient registration of the voters of the county, which deputy registration clerks shall receive as compensation for their services a sum of ten cents per name for each and every voter registered by them.

2. Sheriff, two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and hereby is allowed to the sheriff, one undersheriff, whose salary is hereby fixed in the sum of one thousand eight hundred dollars per annum, one deputy whose salary shall be one thousand five hundred dollars per annum. The sheriff also may appoint not to exceed three deputies at a salary of fifty dollars per month each, subject to the approval of the board of supervisors.

3. Auditor, two thousand dollars per annum; *provided*, that there is hereby allowed to the auditor one deputy who shall receive a salary of one thousand five hundred dollars per annum, and one additional deputy for not more than two months in each year who shall receive one hundred dollars per month. The sum of not to exceed one hundred and sixty-five dollars per annum is appropriated for the use of the auditor in publishing an annual financial statement of the financial transactions of the county.

4. Treasurer and tax collector, two thousand dollars per annum; one deputy at a salary of one thousand five hundred dollars per annum; one deputy at a salary of nine hundred dollars per annum; additional deputies at a salary of seventy-five dollars per month, not to exceed in the aggregate seven hundred and fifty dollars in any year.

5. Assessor, two thousand dollars per annum; one deputy at a salary of one thousand eight hundred dollars per annum; one deputy for six months in each year at a salary of one hundred and fifty dollars per month; two field deputies each for four months in each year at salaries of one hundred and fifty dollars per month each, and their traveling expenses, and one deputy for not to exceed three months in each year at a salary of one hundred and twenty-five dollars per month.

6. District attorney, one thousand five hundred dollars per annum; one deputy at a salary of nine hundred dollars per annum; one stenographer at a salary of one thousand and twenty dollars per annum.

7. Coroner, such fees as are now or may be hereafter allowed by law.

8. Public administrator, such fees as are now or may be hereafter allowed by law.

9. Superintendent of schools, one thousand eight hundred dollars per annum; one deputy at a salary of one thousand two hundred dollars per annum.

10. Surveyor, two thousand dollars per annum. The surveyor shall be entitled to receive all necessary expenses while engaged in doing county work outside of his office. The surveyor shall be allowed such assistants as he may need at a compensation not to exceed nine hundred dollars per annum.

11. Justices of the peace shall each receive the following monthly salaries, to be paid each month, and in the same manner and out of the same funds as county officers, are paid, which shall be in full for all services performed by them in their official capacities:

In townships having a population of five thousand or more, fifty dollars per month;

In townships having a population of four thousand, and less than five thousand, forty dollars per month;

In townships having a population of three thousand, and less than four thousand, thirty dollars per month;

In townships having a population of two thousand, and less than three thousand, twenty dollars per month;

In townships having a population of less than two thousand, ten dollars per month.

12. Constables shall each receive the following monthly salaries, to be paid each month, and in the same manner and out of the same funds as county officers, are paid, which shall be in full for all services performed by them in their official capacities:

In townships having a population of five thousand or more, fifty dollars per month;
 In townships having a population of four thousand, and less than five thousand, forty dollars per month;

In townships having a population of three thousand, and less than four thousand, thirty dollars per month;

In townships having a population of two thousand, and less than three thousand, twenty dollars per month;

In townships having a population of less than two thousand, ten dollars per month.

13. For the purpose of fixing the salaries of justices of the peace and of the constables the population of the several judicial townships of the county shall be ascertained as follows:

By multiplying the registered vote in each township as shown by the great register for the last preceding presidential election by two and one-half.

14. The salary of each supervisor as supervisor and road commissioner, shall be five dollars per day. The supervisors shall receive as mileage, fifteen cents per mile for one way from the place of residence to the place of meeting for each regular session of the board of supervisors.

15. The salary of the horticultural commissioner as horticultural commissioner shall be five dollars per day, and not to exceed one thousand dollars in any one year, in full compensation for his services, including traveling expenses; *provided*, that competent deputies may be employed to assist him in his duties, at four dollars per day, not to exceed four hundred dollars in any one year. Said deputies must be regularly qualified by having passed an examination.

16. The salary of the county physician as county physician and health officer shall be one hundred dollars per month in full for all services and personal expenses incurred.

17. Probation officer, one thousand two hundred dollars per annum, and he shall be allowed such necessary and incidental expenses incurred in the performance of his duties as are required by any laws of the State of California and may be authorized by the judge of the juvenile court, and the same shall be a charge upon the county, and said expenses shall be paid out of the county treasury upon the written order of the judge of the juvenile court, directing the county auditor to draw his warrant on the county treasurer for the specific amount of such expenses. The probation officer shall keep a list of expenses and file a copy monthly with the county board of supervisors.

18. The fees of grand jurors and trial jurors in the superior court shall be three dollars per day for each day's attendance and mileage, to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor on the written order of the judge of the court in which the juror was in attendance, and the treasurer of said county shall pay such warrants.

19. The provisions of this act in relation to compensation, deputies, fees and expenses, are hereby found as a fact to work no increase in the compensation of county officers, and shall apply to the present incumbents."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the word "one", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out all of said line after the comma after the word "after", and all of line 22 down to and including the word "thousand", and insert in lieu thereof the following: "according to the last great register, or registers, of the county, or counties, in which such district is situated the registered voters reach two hundred."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, after the word "when" insert the word "in."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed bill, strike out the words "reaches five", and on line 24, the word "thousand", and insert in lieu thereof the words "the registered voters reach two hundred in number."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 141—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, and as amended by chapter CXX of the laws of 1917, approved April 24, 1917, by amending section 50 thereof, providing for the regulation of vessels operating on the inland waters of this State.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, lines 14 and 15 of the title, strike out the words "by amending section fifty thereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, line 1 of the title, insert after the word "amend", the words "section fifty of".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, lines 13 and 14 of the title, strike out the words "and as amended by chapter one hundred twenty of the Laws of 1917, approved April 24, 1917", and insert in lieu thereof the words "as amended".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, lines 12, 13 and 14, strike out the words "and as amended by chapter one hundred twenty of the Laws of 1917, approved April 24, 1917", and insert in lieu thereof the words "as amended".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Strike out lines 37 to 48, inclusive, paragraph (d) on page 3, and in lieu thereof insert the following:

"No corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, shall hereafter operate or cause to be operated, any vessel between points exclusively on the inland waters of this state, without first having obtained from the railroad commission a certificate declaring that present or future public convenience and necessity require or will require, such operation, but no such certificate shall be required of any corporation or person which is actually operating vessels in good faith, at the time this act becomes effective, between points exclusively on the inland waters of this state under tariffs and schedules of such corporations or persons, lawfully on file with the railroad commission."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, after the word "carriers" strike out the word "or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 657—An act authorizing the creation of a bureau of capriculture in the Department of Agriculture; to promote the development of the California goat industry; to establish standards of sanitation in the conduct of the milk goat industry, and of the chemical and physical properties of goat milk and other goat dairy products used for public consumption, and to provide for the issuance of permits authorizing the conduct of dairies furnishing (selling) goat milk.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all after the words "An act" and insert in lieu thereof the following: "To be known as the "sanitary goat dairy law" of California; to authorize the creation of a bureau of capriculture in the department of agriculture of the State of California; to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of

goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known as the sanitary goat dairy law of California.

SEC. 2. Pursuant to the authority granted to the director of agriculture (chapter three of title one of part three, article two, section three hundred sixty of the Political Code) said director of agriculture is hereby authorized to create, as a subdivision under the division of animal industry, a bureau to be known as 'the bureau of capriculture.'

Said bureau shall be conducted under the control of an officer who shall be appointed in the same manner as the heads of similar bureaus in the department of agriculture.

SEC. 3. It shall be unlawful for any person, firm or corporation to sell or exchange, or offer or expose for sale or exchange for human consumption any goat's milk or goat's milk products except as hereinafter provided.

SEC. 4. It shall further be unlawful for any person, firm or corporation to sell or exchange, or offer or expose for sale or exchange any goat's milk or goat's milk products until a permit has been secured from the department of agriculture of the State of California as provided in section sixteen of this act.

SEC. 5. Goat's milk is the fresh, clean, lacteal secretion, free from colostrum, all parts of which, within forty-eight hours last prior to its delivery to the consumer or purchaser, shall have been obtained by the complete milking of one or more healthy goats. It shall contain no visible dirt or sediment and not less than three per cent milk fat.

It shall be unlawful to sell for human consumption, goat's milk obtained within thirty days before or ten days after parturition or to sell, for infant feeding, milk obtained after the fourteenth month of lactation.

SEC. 6. Goat's milk sold or exchanged or offered or exposed for sale or exchange shall conform to requirements for goat's milk in section five of this act and to the following requirements for production and handling as a minimum:

It shall come from healthy goats, free from suppurative wounds or abnormal discharges or other evidences of disease.

It shall be handled, kept, stored and delivered as provided elsewhere in this act.

It shall be delivered in sterile containers and, if cooled, shall be kept at a temperature not more than fifty degrees Fahrenheit until it reaches the ultimate consumer when it shall not contain more than fifty thousand bacteria per cubic milliliter.

SEC. 7. All persons who come in contact with the milk must exercise scrupulous cleanliness and must not harbor the germs of typhoid fever, tuberculosis, diphtheria or other communicable diseases liable to be conveyed by milk. Absence of such germs shall be determined by cultures and physical examination to the satisfaction of the department of agriculture of the State of California.

SEC. 8. A small top milking pail shall be used for milking and milk (without pouring from pail) shall be taken immediately to the milk house for straining or each bucket of milk shall be strained through heavy cotton flannel into a milk can provided with a tight fitting cover.

All milk shall be strained as soon as possible after milking and unless delivered to the ultimate consumer within one hour from the time of milking shall be cooled to a temperature of not more than fifty degrees Fahrenheit and immediately placed in final container.

SEC. 9. All does prior to milking shall be given a brushing with a stiff brush to remove any loose hair or dust from the body of the animal. The udders and teats shall be wiped with a damp cloth and hands of the milker shall be washed with soap and water and dried on a clean towel just prior to milking. "Wet milking" shall be prohibited. At least twice annually the long hairs from the flank and udder of each doe shall be clipped.

SEC. 10. Goat dairies which have six or more milking does must provide and use a milk house constructed, equipped and located as follows:

The floor shall be concrete, properly sloped with a drain; the floor and walls shall be smooth and free from unnecessary ledges on which dust and dirt can collect; the inside shall be painted white; at least one-half of one side, preferably the east or south exposure, shall be open and screened fly tight, and preferably provided with removable windows.

The milk house shall at all times have on hand an adequate supply of washing powder or soap, washing soda, brushes and other facilities for properly cleaning and sterilizing utensils.

The milk house shall have no direct communication with the milking barn and shall not be nearer than twenty-five (25) feet to any human habitation or to any horse barn, chicken house or other objectionable object.

All milk and milk products intended for sale shall be kept in the milk house until time of delivery.

All utensils and equipment used in handling the milk shall be thoroughly cleaned, dried and aired as provided in section twelve of this act and shall at all times be kept in the milk house when not being used elsewhere as provided in this act.

The name and address of the producer or distributor (who shall be responsible for the quality of the products and the proper labeling) shall, at all times, appear plainly on or be securely attached to every milk bottle, cap, can or container.

SEC. 11. The milking barn, if provided, shall be of ample dimensions to permit ventilation and cleaning, shall have a concrete floor with drain and gutter. The floor shall be cleaned daily and manure if not removed to a distance greater than twenty-five (25) feet from the barn or milk house, shall be placed in a special container known as a manure box which shall be screened fly tight. The walls of the milking barn and stalls shall be whitewashed annually or oftener.

SEC. 12. All utensils and equipment used or coming in contact with the milk shall be cleaned and sterilized, in the milk house if provided, immediately after use as follows:

Washed in cold water, then in hot water containing washing soda; rinsed in clear water; sterilized fifteen minutes in steam box or same length of time in boiling water or exposed ten seconds to live steam at five pounds pressure; and thoroughly dried and aired.

Straining cloths shall be cleaned, sterilized, dried and aired in the same manner as utensils.

SEC. 13. If milk is shipped in bulk to the wholesale trade, regulation cans or containers must be used. If sold at retail, standard bottles and commercial paraffined caps must be used. In no case shall home-made card-board caps be permitted.

SEC. 14. Nothing in this act shall be construed to prohibit the grading of goat's milk and cream as provided for cow's milk in the "pure milk law of California." If so graded, goat's milk or cream of any grade shall conform to all the requirements set forth in the "pure milk law of California" for cow's milk or cream of the same grade, except that scoring shall be by a special score card adopted by the department of agriculture of the State of California for scoring goat dairies.

SEC. 15. Buck goats shall be kept at least fifty feet from any milk house and shall not be permitted closer than fifty feet to any private dwelling.

SEC. 16. Application for "permit" to sell goat milk in California shall be in the following form; and said application shall be accompanied with a fee of one dollar when the dairy consists of six or more milking does.

Date.....19.....

BUREAU OF CAPRICULTURE

STATE DEPARTMENT OF AGRICULTURE

SACRAMENTO, CALIFORNIA

I herewith make application for permit to sell goat milk in.....city;
.....county, in consideration of the granting of which I agree to comply with all the provisions of the sanitary goat dairy law and with all the rules and regulations and the methods and standards for production and distribution of goat's milk adopted by any inspecting department within whose jurisdiction I may sell goat's milk.

Name of dairy is.....

Location of dairy.....

Owner or owners' name and address.....

Number of milking does.....(purebred).....(grade)

Number of does bred but not milking.....(purebred).....(grade)

SEC. 17. It shall be the duty of the officer in charge of the bureau of capriculture to enforce all the provisions of this act. Said officer is hereby authorized to promulgate such rules and regulations as may be necessary and to encourage and promote the interests of the milk goat industry in California.

SEC. 18. It shall be the duty of the district attorney of each and every county of this state, upon application of the said department of agriculture, or of any milk inspecting department in said county, their authorized representatives, to attend to the prosecution, in the name of the people, of any action brought for the violation of any of the provisions of this act within his county.

SEC. 19. Any person who violates any provision of this act or who directs or knowingly permits an employee to violate any of said provisions, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars, or by imprisonment in the county jail for not less than ten days nor more than sixty days, or by both such fine and such imprisonment.

SEC. 20. Out of any money in the state treasury not otherwise appropriated the sum of two thousand (2,000) dollars is hereby appropriated to be expended in accord-

ance with the law and carrying out the purposes of this act, *provided, however*, that in no case will more money be spent than actually received from fees."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, after the word "trial" strike out the comma and insert the words "as provided in section three hundred ninety-seven of this code" and a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 16, of the printed bill, after the word "trial" strike out the comma and insert the words "as provided in section three hundred ninety-seven of this code" and a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, strike out the words "subject of the action" and insert in lieu thereof the word "cause".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 19, of the printed bill, strike out the words "subject of the action" and insert in lieu thereof the word "cause".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 23 and 24, of the printed bill, strike out the words "subject of the action" and insert in lieu thereof the word "cause".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 1, of the printed bill, after the word "trial" strike out the comma and insert the words "as provided in section three hundred ninety-seven of this code" and a comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 5, of the printed bill, strike out the word "if" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of SEC. 4.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 325—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title, strike out the word "amend" and insert in lieu thereof the following: "add a new section to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title, strike out the period and insert in lieu thereof a comma and the following: "to be numbered fifty-seven *a*, relating to the powers of the superintendent of banks in respect to certain loans and investments."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the period insert the following: "A new section is hereby added to an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, to be numbered fifty-seven *a*, and to read as follows:

57*a*. Whenever in this act it is required that loans or investments shall be secured by a first lien on real estate, any lien given to secure the payment of assessments or subscriptions to meet the requirements of any law of the United States in respect to any irrigation project of the United States which may be levied, made or received by any corporation or association formed to carry out the objects and requirements of any such law of the United States, or the lien of any tax, assessment or bond levied, or issued by any state in the United States other than the State of California or by any county, city and county, city, town, municipality, school district or any other political or governmental subdivision of such state and the lien of any assessment levied to pay such bonds, and the lien created by any contract to secure the payment for water furnished thereunder for the irrigation of such real estate or any part thereof, shall be deemed to be a prior encumbrance or lien on such real property: *provided, however*, that with the previous written consent of the superintendent of banks any bank may make loans or investments upon the security of real property so encumbered if the total of all such governmental liens taken with the loan or investment so secured shall amount to not more than fifty per cent of the market value of the real property securing the same; *and provided, further*, that the superintendent of banks shall grant no such permission in the event that the payment of any installment or call of any such tax, assessment or bond or other governmental lien is due and delinquent."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 311 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

In the absence of the author, Senate Bill No. 633 was passed on file.

Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

On motion of Senator Sample, Senate Bill No. 361 was passed on file.

RE-REFERENCE OF BILL.

On request of Senator Powers, Senate Bill No. 423 was ordered taken from the file, and re-referred to Committee on Finance.

Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 35 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—28.

NOES—Senators Chamberlin, and Rominger—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 488—An act to amend section 2322, 2322a, 2322b, 2323, 2324, 2325, 2327, 2328, 2329, 2330 and 2329 of the Political Code, relating to agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 488 passed by the following vote:

AYES. Senators Allen, Anderson, Bantz, Beall, Brown, Cameron, Carr, Chamberlain, Chalmers, Connelley, Bennett, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Hamby, Hart, Hays, Hughes, Ingram, Johnson, A. B. Johnson, M. B. Lewis, Lyon, Maupin, Nason, O'Brien, Powers, Rammage, Rush, Schuch, Shattuck, Shattuck, and West—33.
 NOES. None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 647—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 647 passed by the following vote:

AYES. Senators Allen, Bantz, Beall, Carr, Chamberlain, Chalmers, Connelley, Bennett, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Hamby, Hart, Hughes, Ingram, Inman, Johnson, A. B. Johnson, M. B. Lewis, Lyon, Maupin, Nason, O'Brien, Powers, Rush, Schuch, Shattuck, Shattuck, and West—31.
 NOES. None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 687—An act to add a new section to the Political Code, to be numbered 738, relating to the salaries of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 687 passed by the following vote:

AYES. Senators Allen, Anderson, Bantz, Beall, Bennett, Cameron, Carr, Chamberlain, Chalmers, Connelley, Bennett, Eden, Gates, Dr. Gates, E. J. Godsil, Hamby, Hart, Hughes, Ingram, Johnson, A. B. Johnson, M. B. Lewis, Lyon, Maupin, Nason, O'Brien, Rammage, Rush, Schuch, Shattuck, Shattuck, and West—32.
 NOES. None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 420 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Ingram, Inman, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 191 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the vote whereby Assembly Bill No. 86 was refused passage, was granted reconsideration by the following vote:

AYES—Senators Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, and Slater—28.

NOES—Senators Allen, Johnson, A. B., Lyon, and Rominger—4.

Assembly Bill No. 86 ordered on unfinished business file.

Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide

for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

SENATOR GATES, E. J., IN THE CHAIR.

At twelve o'clock and thirty minutes p.m., Senator Gates, E. J., of the thirty-fifth district was called to the chair.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 115 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—33.

NOES—Senator Carr—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Rush asked for and was granted unanimous consent to be excused for the remainder of the legislative day.

Senator West asked for and was granted unanimous consent to be excused for the remainder of the legislative day.

Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments.

On motion of Senator Boggs, Senate Bill No. 707 was passed on file.

Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower

sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof.

On motion of Senator West, Senate Bill No. 704 was passed on file.

Senate Bill No. 652—An act to amend section 1248 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 652 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Sample, Sharkey, Slater, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

On motion of Senator Breed, Senate Bill No. 436 was passed on file.

Senate Bill No. 364—An act to amend section 4153 of the Political Code, relating to duties of the district attorney.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 364 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, and Slater—27.

NOES—Senators Canepa, Carr, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 547 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Osborne, Sample, Sharkey, Slater, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On request of Senator Arbuckle, Assembly Bill No. 891 was taken from Committee on Judiciary and re-referred to Committee on Agriculture and Live Stock.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

On motion of Senator Johnson, A. B., Senate Bill No. 401 was passed on file.

Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State: creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 448 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Osborne, Sample, Sharkey, and Slater. 29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings

are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership 9; committee vote: Ayes—7; noes—0.

CROWLEY, Chairman.

Senate Bill No. 29 ordered on third reading file.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Crowley asked for and was granted unanimous consent to take up Senate Bill No. 29 out of order for the purpose of amendment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Crowley moved to refer Senate Bill No. 29 to Senator Burnett as a Special Committee of One to amend, in accordance with recommendation of the Committee on Public Health and Quarantine, as follows:

AMENDMENT NUMBER ONE.

On page 3, line 27, of the printed bill, after the word "which" strike out to and including the word "which" on line 28 of the same page.

AMENDMENT NUMBER TWO.

On page 3, line 34, of the printed bill, after the word "counties" strike out from and including the comma to and including the comma before the word "where" on same line.

AMENDMENT NUMBER THREE.

On page 4, line 13, of the printed bill, strike out from and including the semicolon after the word "erected" to and including the word "act" on line 22, same page.

AMENDMENT NUMBER FOUR.

On page 7, line 46, of the printed bill, after the word "department" and before the word "charged" insert the words "or departments".

AMENDMENT NUMBER FIVE.

On page 8, line 1, of the printed bill, commencing at the word "hotels" after the word "enter" strike out to and including the word "house" line 2, and insert in lieu thereof the word "buildings".

AMENDMENT NUMBER SIX.

On page 8, line 9, of the printed bill, commencing at the word "apartment" after the word "enter" strike out to and including the word "hotels" same line, and insert in lieu thereof the word "buildings".

AMENDMENT NUMBER SEVEN.

On page 8, line 18, of the printed bill, strike out the brackets and insert in lieu thereof the following:

"Provided, however, that the authority to enter buildings, as in this section given to the persons hereinbefore enumerated, shall not be construed or deemed to apply to the entering of any dwelling between the hours of six o'clock p.m. of any day and six o'clock a.m. of the succeeding day, without the consent of the owner or of the occupants of such dwellings, but in no event shall the authority in this section given be construed as permitting any of the persons hereinbefore enumerated to enter any dwellings in the absence of the occupants thereof without a proper written order, duly executed by a competent court authorized to issue such orders."

AMENDMENT NUMBER EIGHT.

On page 13, line 49, of the printed bill, strike out from and including the colon after the word "thick" to and including the word "act", line 5, page 14.

AMENDMENT NUMBER NINE.

On page 17, line 43, of the printed bill, strike out the period after the word "dwellings" and insert in lieu thereof a semicolon and the following words: "*provided, further, that a building not more than one story in height to be used as a garage for the sole use of the occupants of the apartment house erected on the same lot, may be erected in the rear of an apartment house less than twenty feet distant from the apartment house provided said garage building does not encroach upon or occupy any portion of the lot required to be used or left vacant for use as a rear yard.*"

AMENDMENT NUMBER TEN.

On page 24, line 20, of the printed bill, after the word "porches" and before the semicolon insert the following: "where such roofoed porches are on the ground or main lower floor of the apartment house or hotel, but where such roofoed porches are erected above the first or main lower floor such roofoed porches shall be designed and constructed with one side and one end thereof open and unobstructed, except the usual rails, balustrades and similar necessary structural features, and such open and unobstructed portions shall be at least ninety per cent open and unobstructed, measured between the floors and the underside of roofs of such porches".

AMENDMENT NUMBER ELEVEN.

On page 26, line 8, of the printed bill, strike out the brackets and insert in lieu thereof the following: "Any part of a public hallway in an apartment house hereafter erected which is offset, recessed, or cut off from any other part of the hallway where such offset or recess is more in length than three times the width of the public hallway from which it offsets or recesses, shall be deemed a separate public hallway within the meaning of this section."

AMENDMENT NUMBER TWELVE.

On page 30, line 25, of the printed bill, commencing at the word "apartment" after the word "existing" strike out to and including the word "hotel" same line, and insert in lieu thereof, the word "building".

AMENDMENT NUMBER THIRTEEN.

On page 45, line 34, of the printed bill, strike out the brackets and insert in lieu thereof the following paragraph:

"(c) Every existing dormitory maintained and erected prior to the passage of this act shall be made to conform to the provisions of subsection 'A' of this section: *provided, however,* that dormitories erected prior to the passage of this act which are found by the local department or board of health to be sanitary and fit for human occupancy shall thereupon be issued a certificate of occupancy by said local department or board of health, which certificate shall be final as to the structural features and arrangement of said dormitory at the time the certificate is issued and said dormitory may be used for human habitation, anything contained in this act to the contrary notwithstanding."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 29, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURNETT, Special Committee.

Report read, and on motion of Senator Crowley adopted.

Bill ordered to print, and re-engrossment.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Inman:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV, of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add two new sections to the Penal Code, to be numbered 54c and 54d, relating to crimes against the elective franchise.

Referred to Committee on Rules.

By Senator Hurley:

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV, of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes.

Referred to Committee on Rules.

By Senator Crowley :

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act creating a state highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Referred to Committee on Rules.

ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Senator Breed, Senator Gates, E. J., declared the Senate adjourned until Monday, April 16, at 11 o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, April 16, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 13, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Gates, E. J., was, on motion of Senator Breed, granted leave of absence for this day.

Senator Gates, Dr., was, on motion of Senator Osborne, granted leave of absence for this day and Tuesday.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John Boggs, University of California; Charles H. King, Eminent Commander of

Santa Rosa Commandery, Knights Templar, attorney; Mrs. Carl Barnard of Santa Rosa and ex-Senator S. C. Evans of Riverside.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John J. Lehman of San Francisco.

PETITIONS.

The following petitions were presented, and ordered printed in the Journal.

By Senator McDonald:

I favor the new pension law as presented by the San Francisco Teachers' Association, and endorsed by the legislative committee of the California Teachers' Association—Senate Bill No. 127.

MARGARET FEE,
And 18 others.

By Senator Sharkey:

WHEREAS, There are now before the Legislature of the State of California Senate Bill No. 549 and Assembly Bill No. 1034, providing for the organization of a California Historical Association, and

WHEREAS, The scope of work set forth for such proposed Historical Association and the objects to be attained thereunder are extremely meritorious and appeal to every patriotic, progressive and intelligent Californian, and

WHEREAS, The creation of such a California State Historical Association will replace the existing California Historical Survey Commission and will provide for more comprehensive and advantageous historical work of the State, scientific and educational in character and not overlapping the work of any other commission; therefore be it

Resolved, That Senate Bill No. 549 and Assembly Bill No. 1034 be and are hereby most heartily approved and endorsed and members of the Legislature are respectfully urged to give the bills their full support; and be it further

Resolved, That copies of this resolution be forwarded to the Honorable Friend Wm. Richardson, to the honorable members of the committee in charge of the proposed legislation and to other members of our State government for their consideration and support.

HISTORY COMMITTEE OF THE GRAND PARLOR, NATIVE SONS OF THE GOLDEN WEST.

By WILLIAM J. HAYES, Chairman.

FRANK C. MERRITT, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 667—An act to provide for the inspection and grading of lubricating oils under the direction of the Department of Public Works;

Also: Senate Bill No. 329—An act to add a new section to the Code of Civil Procedure to be designated section 260, relating to the court commissioner in counties of the first class;

And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the Judicial Department, and providing for the establishment of municipal courts;

Also: Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians;

And reports that the same have been correctly re-engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235a, relating to county recorders of counties of the sixth class and the expenses of their offices;

Also: Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class;

Also: Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries;

Also: Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act;

Also: Senate Bill No. 141—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, and as amended by chapter CXX of the Laws of 1917, approved April 24, 1917, by amending section 50 thereof, providing for the regulation of vessels operating on the inland waters of this State;

Also: Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor;

Also: Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California; to authorize the creation of a Bureau of Capriculture in the Department of Agriculture of the State of California; to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof;

Also: Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State;

Also: Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions;

Also: Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints;

Also: Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure relating to the jurisdiction of probate courts;

Also: Senate Bill No. 325—An act to add a new section to an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, to be numbered 57a, relating to the powers of the Superintendent of Banks in respect to certain loans and investments;

And reports that the same have been correctly engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated

cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and an act amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461—and reports that the same has been correctly re-engrossed.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21a, 24a, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35a and 49a and repealing section 36 thereof, all relating to the definition and regulation of the business of banking:

Also: Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees: the office of said district: and of proceedings to determine legality of district:

Also: Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District: to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal therefrom: to provide for the election and appointment of officers of said drainage district: defining the powers, duties and compensation of such officers: and providing for the levying and collecting assessments upon the lands within said drainage district: the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

Also: Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties:

Also: Senate Bill No. 645—An act to amend section 1272a of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer:

Also: Senate Bill No. 489—An act to approve, confirm, ratify and validate sales and conveyance of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales:

Also: Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee

district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23a, relating to fees on permits, and 23b, relating to payment of fees into the State Treasury and providing for exemption from fees;

Also: Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole;

Also: Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this thirteenth day of April, 1923, at one o'clock and thirty minutes p.m.

HANDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of April, 1923, at eleven o'clock and forty minutes a.m.

HANDY, Vice Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hurley to introduce a bill entitled—An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Hurley: Senate Bill No. 720—An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes.

Senate Bill No. 720 read first time, and referred to Committee on Military Affairs.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Crowley to introduce a bill entitled—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other

unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created—has had the same under consideration, and respectfully reports the same back and recommends that the request be granted. "

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—36.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Crowley: Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Senate Bill No. 721 read first time, and referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Inman to introduce a bill entitled—An act to add two new sections to the Penal Code, to be numbered 54c and 54d, relating to crimes against the elective franchise has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Inman: Senate Bill No. 722—An act to add two new sections to the Penal Code, to be numbered 54c and 54d, relating to crimes against the elective franchise.

Senate Bill No. 722 read first time, and referred to Committee on Elections.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 9 of the printed bill strike out the comma after the word "instruction" and also strike out the remainder of line 9 and the whole of line 10 and insert in lieu thereof the following: "in religion; *provided* that any pupil so excused shall be held accountable for all work prescribed for his class, and shall be present at all recitations of his class, in the public school."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 212—An act to add a new section to the Political Code, to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "board" insert the following: "or the board of a city high school district to which elementary school districts

have been annexed under the terms of section one thousand seven hundred thirty-four "b".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "district" insert the following matter: "or city high school district to which elementary school districts have been annexed under the terms of section one thousand seven hundred thirty-four "b".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, after the word "district" insert the following: "or city high school district to which elementary school districts have been annexed under the terms of section one thousand seven hundred thirty-four "b".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, after the word "therein" insert the following: "provided that more than one polling place may be established in any elementary school district in the discretion of the county superintendent of schools."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 45, of the printed bill, after the word "Code" insert the following: "or in the same manner and for the same terms as city boards of education as the case may be."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 5, of the printed bill, after the word "Code" insert the following: "or in the same manner as for city school districts as the case may be."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 287 -An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, strike out the word "ninety" and insert in lieu thereof the words "sixty-seven".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 25, of the printed bill, strike out the word "ninety" and insert in lieu thereof the words "sixty-seven".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on file.

Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof.

Bill read third time.

CASE OF URGENCY.

Section 34 setting forth the urgency clause read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B. Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 704 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B. Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 174—An act to authorize the making of a survey, and the preparation of plans and estimates, and the construction of a highway from the town of Alturas, in Modoc County, to New Pine creek on the Oregon-California line by the most direct and practical route connecting with the Oregon State highway.

On motion of Senator Powers, Senate Bill No. 174 was passed on file.

Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and

repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527a, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 450 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Golsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Jones, Lewis, Murdock, Nelson, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code, and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 103, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 125 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Golsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton Senate Bill No. 275 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 293 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

On motion of Senator McDonald, Senate Constitutional Amendment No. 23 was passed on file.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the

state of Arizona opposite the town of Topoc, Arizona, to be a State highway.

On motion of Senator Swing, Senate Bill No. 305 was passed on file.

Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 292 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West 37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water: providing also the number, qualifications, method of appointment and tenure of office of members of the court: providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence: providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

On motion of Senator Lyon, Senate Bill No. 60 was passed on file.

Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 651 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Harris, Hart, Hughes,

Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 650 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

On motion of Senator Gray, Senate Bill No. 126 was passed on file.

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

On motion of Senator Arbuckle, Senate Bill No. 688 was passed on file.

RE-REFERENCE OF BILL.

On request of Senator Inman, Senate Bill No. 667 was taken from the file and re-referred to Committee on Oil Industries.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the Judicial Department.

On motion of Senator Chamberlin, Senate Constitutional Amendment No. 25 was passed on file.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

On motion of Senator Gray, Senate Bill No. 329 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

On motion of Senator Ingram, Senate Bill No. 96 was passed on file.

Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

On motion of Senator Sample, Senate Bill No. 361 was passed on file.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

On motion of Senator Breed, Senate Bill No. 436 was passed on file.

Senate Bill No. 9—An act to add a new section to the Political Code, to be numbered 4235a, relating to county recorders of counties of the sixth class and the expenses of their offices.

Bill read third time.

Section No. 2, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency feature of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Donnett, Eden, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

HOUR OF RECESS EXTENDED.

At one o'clock and five minutes p.m., the hour of recess was extended until one o'clock and fifteen minutes p.m.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 9 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Deunett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and fifteen minutes p.m.

RECONVENED.

At two o'clock and fifteen minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 13, passed Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Senate Constitutional Amendment No. 20 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 13 passed the following:

Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure relating to notices to relatives of persons under guardianship:

Also: Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will:

Also: Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 223, 224 and 331 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a conference committee on Assembly Bill No. 307 the following Assemblymen: Baker, C. C., Broughton, and Duval, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

COMMITTEE ON CONFERENCE APPOINTED.

The President pro tempore announced the appointment of Senators West, Chamberlin and Arbuckle as a Committee on Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 307.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 14, 1923, passed the following:

Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts;

Also: Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3480½, authorizing the governing boards of reclamation districts to hire a clerk;

Also: Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same" which became a law, under constitutional provision, without Governor's approval, March 1, 1897;

Also: Assembly Bill No. 1199—An act to amend sections 1, 4, 7 and 9 of an act entitled "An act to enable incorporated cities and counties and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards, approved March 19, 1889,"

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1118 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1139 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1198 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1199 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 14 passed the following:

Assembly Bill No. 1047—An act to amend section 310 of the Penal Code, relating to the desecration of the national flag;

Also: Assembly Bill No. 1059—An act to appropriate money in the State Treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

Also: Assembly Bill No. 1060—An act to appropriate money now remaining in the "Operators' License Fund" to the "Motor Vehicle Fund";

Also: Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the United States Forest Reserve Fund" and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended;

Also: Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions

of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled "An act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1047 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 1059 read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1060 read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1080 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1114 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 13 passed the following:

Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 16084 to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district:

Also: Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education:

Also: Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919:

Also: Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by adding a new section thereto to be numbered section 64:

Also: Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 331 read first time, and referred to Committee on Education.

Assembly Bill No. 412 read first time, and referred to Committee on Education.

Assembly Bill No. 417 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 893 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1076 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 14 passed the following:

Assembly Bill No. 684—An act to amend an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended:

Also: Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 52 thereof:

Also: Assembly Bill No. 812—An act confirming and validating the organization of school districts;

Also: Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts;

Also: Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed;

Also: Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'The Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 684 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 748 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 812 read first time, and referred to Committee on Education.

Assembly Bill No. 813 read first time, and referred to Committee on Education.

Assembly Bill No. 884 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 924 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 13 passed the following:

Assembly Bill No. 1244—An act to amend section 1523 of the Code of Civil Procedure, relating to duty of executor or administrator to sell personal property:

Also: Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property;

Also: Assembly Bill No. 1246—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of money of estates;

Also: Assembly Bill No. 1248—An act to amend section 274a of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer;

Also: Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192a, relating to commitment of imbeciles.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1244 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1245 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1246 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1248 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1276 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 14 passed the following:

Assembly Bill No. 107—An act to amend section 1549 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents;

Also: Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings;

Also: Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees;

Also: Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction;

Also: Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805c, providing for the cancellation of assessments on certain lands of the State;

Also: Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals;

Also: Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 107 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 125 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 152 read first time, and referred to Committee on Education.

Assembly Bill No. 181 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 199 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 218 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 409 read first time, and referred to Committee on Governmental Efficiency.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 14 passed the following:

Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained;

Also: Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act;

Also: Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments;

Also: Assembly Bill No. 570—An act to amend section 39f of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district;

Also: Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480i, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 375 read first time, and referred to Committee on Education.

Assembly Bill No. 485 read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 564 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 570 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 610 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 14, 1923, passed the following:

Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose", which became a law, under constitutional provision, without Governor's approval, March 1, 1897:

Also: Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended:

Also: Assembly Bill No. 1289—An act to amend section 429 of the Civil Code relating to fire and marine insurance corporations:

Also: Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1201 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1210 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1289 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1291 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

CHAMBERLIN, Chairman.

Senate Bill No. 377 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear

Lake—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

RUSH, Chairman.
WEST.
BOGGS.
GRAY.
GODSIL.
HANDY.

Senate Bill No. 709 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 19 Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

Committee membership 5; committee vote: Ayes 4; absent—1.

EDEN, Chairman.

Senate Joint Resolution No. 19 ordered on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, A. B., moved to refer Senate Bill No. 401 to Senator Chamberlin, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 36, of the printed bill, strike out the period and insert in lieu thereof the following: ; *provided, further*, that when in the opinion of the state forester the growing timber on land classified hereunder as "reforestation land" shall reach merchantable maturity, the state forester shall revoke such classification, and shall certify such revocation to the county assessor of the county or counties in which such lands may be, and the assessor shall restore such lands to the taxable property list.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 401, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Johnson, A. B., adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Senate Bill No. 707 to Senator Burnett, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "; *provided further, however*, that the pre-

visions of this section shall not be held or construed to apply to the registration of a motor vehicle by a non-resident on the first Monday in March following the initial registration of such motor vehicle."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 707, with instructions to amend, respectfully reports the same back, amended as per instructions.

BURNETT, Special Committee.

Report read, and on motion of Senator Burnett, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 134 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR DENNETT IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Senator Dennett of the twelfth district was called to the chair.

Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 708 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 141—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved

April 23, 1915, and as amended by chapter CXX of the laws of 1917, approved April 24, 1917, by amending section 50 thereof, providing for the regulation of vessels operating on the inland waters of this State.

On motion of Senator McDonald, Senate Bill No. 141 was passed on file.

Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor.

On motion of Senator McDonald, Senate Bill No. 142 was passed on file.

RE-REFERENCE OF BILLS.

On request of Senator Johnson, M. B., Senate Bill No. 657 was taken from the file and re-referred to Committee on Finance.

Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 710 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 712 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 711 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 713 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 325—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 325 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the bill as amended April 13, 1923, line 1, strike out the words "add a new section to an" and insert in lieu thereof the following: "amend section fifty-seven *a* of".

AMENDMENT NUMBER TWO.

Line 3 of the title of the printed bill as amended April 13, 1923, strike out the words "to be numbered fifty-seven *a*".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill as amended April 13, 1923, strike out all of line 1 following the period, all of lines 2 to 4, both inclusive, and insert in lieu thereof the following:

"Section fifty-seven *a* of an act entitled "An act to define and regulate the business of banking, approved March 1, 1909, as amended," is hereby amended to read as follows:"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 325, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Breed, adopted.

Bill ordered to print, and re-engrossment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 516—An act to amend the title of, and to add a new section to be numbered 8 to an act entitled "An act to provide for public cemetery districts," approved March 6, 1909, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 896—An act to provide for the organization and government of public park districts.

Bill read second time, and ordered on file for third reading.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of water-works or parts thereof belonging to such municipality to municipal water districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 476—An act to amend section 7 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, and page 2, of the amended bill, omit the last three lines of page 1, and the first four lines of page 2, and insert in lieu thereof the following:

"1251. All state, congressional, legislative and judicial offices in which there is more than one candidate, and all initiative and referendum measures shall be designated as matters of more than ordinary interest for purposes of publicity of elections returns."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "no articles shall" and on page 1, line 9, strike out the words "be manufactured for sale except jute fabrics and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the word "time" at the end of line 10 insert the words "may be sold".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 7 to 18 both inclusive, and the word "commencement" in line 19, and insert in lieu thereof the following: "Beginning at the point of intersection of the center line of Polk street with the center line of Tonquin street; running thence easterly along said center line of Tonquin street to the westerly line of Larkin street; thence at a right angle southerly along said westerly line of Larkin street to the northerly line of Jefferson street; thence easterly along said northerly line of Jefferson street to the westerly line of Hyde street; thence northerly along said westerly line of Hyde street, a distance of two hundred and twenty-five (225) feet; thence at a right angle westerly a distance of two hundred and seventy-five (275) feet; thence at a right angle northerly a distance of two hundred and forty-five (245) feet more or less to the southerly line of the Embarcadero; thence northwesterly along said southerly line of the Embarcadero to its intersection with the center line of Polk street; thence southerly along the center line of Polk street to the point of beginning."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, strike out all of the line after the semicolon, and all of lines 4 and 5, and insert in lieu thereof the following: "provided, however, that the grantee under this act shall at no time erect any piling, breakwater or other structure which shall in any way interfere with the operation of any ferry or ferryboat operating from any slip, wharf or pier situated easterly of the land described herein."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 983—An act to amend sections 2, 5, 16 and 17, of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation

thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered 24a, relating to the powers and duties of the Commissioner of Corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 1 after the word "entitled", all of lines 2 and 3, and insert in lieu thereof the following: "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a state corporation department and the office of commissioner of corporations," approved May 18, 1917, as amended, is hereby amended to read as follows:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out all of lines 35 and 36, and insert in lieu thereof the following:

"SEC. 2. Section five of said act approved May 18, 1917, as amended, is hereby amended to read as follows:".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 36, of the printed bill, after the word "act", insert the following: "approved May 18, 1917, as amended,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 10, of the printed bill, after the word "act", insert the following: "approved May 18, 1917, as amended,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, strike out all of line 11 following the comma after the word "may", and insert in lieu thereof the following: "after four years from date of filing and with the approval of the board of control,".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Assembly Bill No. 283 passed on file.

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Assembly Bill No. 17 passed on file.

Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway.

Assembly Bill No. 175 passed on file.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Assembly Bill No. 847 passed on file.

Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Assembly Bill No. 150 passed on file.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

Assembly Bill No. 1148 passed on file.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

Assembly Concurrent Resolution No. 13 passed on file.

Assembly Concurrent Resolution No. 18—Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

Assembly Concurrent Resolution No. 18 ordered transmitted to the Assembly.

Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 733 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Assembly Bill No. 734 passed on file.

Assembly Bill No. 880—An act to provide authority to any county in California to cooperate with the United States Department of Agriculture and the California Department of Agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter 714, Statutes 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 880 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Burnett, Creighton, Crowley, Godsil, Gray, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—24.

NOES—Senators Carr, Dennett, Eden, and Jones—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 182 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of joint highway districts composed of two or more counties of the State of California.

Assembly Bill No. 791 passed on file.

Assembly Bill No. 448—An act declaring the Kings River Canyon highway to be a part of the seven per cent State highway system, and providing for the construction and maintenance thereof.

Assembly Bill No. 448 passed on file.

Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada State line near Verdi," approved April 15, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1016 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of Article II of the constitution relating to the right of suffrage.

Assembly Constitutional Amendment No. 24 passed on file.

Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 7, 90, and 130 thereof and by adding a new section thereto to be numbered section 132a thereof, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1119 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock and fifty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appur-

tenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or thume, and providing for the means by which the terms, conditions and location of such use shall be determined.

Assembly Bill No. 832 read second time, and ordered on file.

Assembly Bill No. 64—An act to amend section 1269a of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 75 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 130—An act to amend section 4300d of the Political Code, relating to constable's and marshal's fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 130 passed by the following vote:

AYES—Allen, Arbuckle, Breed, Burnett, Chamberlin, Creighton, Crowley, Eden, Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 215 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 272—An act to establish Gold Discovery Day.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 272 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Dennett moved to refer Senate Bill No. 486 to Senator Harris, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the amended printed bill, strike out the word "in".

AMENDMENT NUMBER TWO.

On page 1, line 23, of the amended printed bill, after the word "when" insert the word "in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 486, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARRIS, Special Committee.

Report read, and on motion of Senator Dennett, adopted.

Bill ordered to print, and re-engrossment.

ADJOURNMENT.

At four o'clock and fifteen minutes p.m., on motion of Senator Crowley, the President pro tempore, declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, April 17, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by Rev. David C. Williams, Assemblyman of the forty-ninth district of California.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 16, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senator Harris was, on motion of Senator Dennett, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sample, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. T. Johnson and C. G. Sellick of San Diego.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mayor C. H. Hayden of Martinez.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to J. J. De La Guena of Hollywood.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Bebe Barri, Sylvia Collinson, Peggy Henderson, Maudie Sheila, Rita Jose, Kitty Gray, Babe Carrington, Elise Wheelton, Mrs. Wheelton and Jimmy Lyons, all of London, England, members of the "Land of Fantasie" company of the Orpheum, Sacramento.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mother Mary Edith, Assistant General, Convent of the Holy Names, Montreal, Canada; Mother Alphonsus Mary, Provincial Superior, Mayrlhurst, Oswego, Ore.; Sister M. Margaret, Superior, College Holy Names, Oakland, Cal.; Sister M. Elizabeth of Jesus, Superior Madeleine School,

Portland, Ore.; Sister M. Loyala, Teacher, College of Holy Names, Oakland, and the following class of College of Holy Names of Oakland: Rose Mary Whelan, Mary Waldron Kitterman, Helen Claire Carlin, Margaret Ellen Judge, Olah Day, Theodora Tiffie Purkitt, and Martha Barton.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the eighth grades of the North Sacramento and Hagganwood schools:

Teachers—Miss Jessie Reese, Mrs. Harwood, Miss Marjorie Foss and Mrs. Mollie S. Platt. Pupils—Norma Stafford, Helen Harwood, Evelyn Carlisle, Allie Payne, Thelma Brown, Blanche Carlson, Elinor Bartlett, Harrington Erickson, Carl Ekstrom, Lewis Pierce, Albert Simonsen, Morris Wroolie, Everett Anthony, Evelyn Sponamore, Hazel McKee, Leona Fiske, Irma Anderson, Rosalie Taylor, Reginald Sweet, Wesley Fothergill, Finley McGrew, Robert Hill, Marguerite Hess, Wesley Starr, Kenneth Gillespie, John Major, Nancy Anderson, Elizabeth Burckhardt, Helen Osmer, Dorothy Schneider, Eleanor Gilmore, and Arthur Morris.

On request of Senator Canepa, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Lillian Bianchi of San Francisco.

On request of Senator Godsil, the privilege of the floor of the Senate Chamber for the day was unanimously extended to R. W. Montell of San Francisco.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 16 passed the following:

Senate Joint Resolution No. 2—Relative to pensions for federal employees who have been in service thirty years or more;

Also: Senate Joint Resolution No. 3—Relative to the compensation of laborers in the United States customs service.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Joint Resolutions Nos. 2 and 3 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 16 passed the following:

Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations;

Also: Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 309 and 593 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 318—An act to add chapter II to title V of part III of the Political Code embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, and to repeal sections 2237, 2238, 2239, 2240, 2243, 2244, 2254, 2255, 2257, 2267, 2268, 2270, 2280, and 2282 of said code relating to the education of the deaf and the blind.

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED EIGHTEEN.

Senator Breed asked for and was granted unanimous consent to take up Senate Bill No. 318.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 318.

An act to add chapter II, to title V of part III of the Political Code embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, and to repeal sections 2237, 2238, 2239, 2240, 2243, 2244, 2254, 2255, 2257, 2267, 2268, 2270, 2280, and 2282 of said code relating to the education of the deaf and the blind.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED EIGHTEEN.

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title of the printed bill following the word "act", all of lines 2 to 7, both inclusive, and insert in lieu thereof the following: "To add chapter II to title V of part III of the Political Code embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, and to repeal sections 2237, 2238, 2239, 2240, 2243, 2244, 2254, 2255, 2257, 2267, 2268, 2270, 2280, and 2282 of said code relating to the education of the deaf and the blind."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 318?"

The roll was called, and Assembly amendment to Senate Bill No. 318 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Dennett, Eden, Gray, Handy, Hart, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—25.

NOES None.

Senate Bill No. 318 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 16 passed the following:

Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended:

Also: Senate Bill No. 159—An act to amend sections 11 and 12½ of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended:

Also: Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended:

Also: Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

ARTHUR A. O'HINIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 76, 159, 211 and 308 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to the governing bodies of said district which are necessary and convenient to accomplish said purposes and to authorize such districts to levy and collect taxes for the purpose of providing a

fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER EIGHTY-ONE.

Senator Hurley asked for and was granted unanimous consent to take up Senate Bill No. 81.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to the governing bodies of said district which are necessary and convenient to accomplish said purposes and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-ONE.

AMENDMENT NUMBER ONE.

In line 2* of the title of the printed bill, strike out the word "and" after the words "by cities", and insert in lieu thereof, a comma.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, after the word "counties", insert a comma, and the following: "and unincorporated territory".

AMENDMENT NUMBER THREE.

In line 5 of the title of the printed bill, strike out the words "there along" and insert in lieu thereof, a comma.

AMENDMENT NUMBER FOUR.

In line 7 of the title of the printed bill, after the word "and" insert the following: "granting powers to the governing bodies of said district which are necessary and convenient to accomplish said purposes and".

AMENDMENT NUMBER FIVE.

On page 1, line 4, of the printed bill, after the word "state" insert a comma and the following: "or by any person, firm or corporation".

AMENDMENT NUMBER SIX.

On page 1, line 6, of the printed bill, commencing with the word "municipality" strike out to and including the word "such" in line 7, and insert in lieu thereof the following: "city or city and county; *provided*, that said city or city and county shall exclude from the proposed district any territory over which the state or any county shall then have or be exercising control in harbor or port matters. At the time of the creation of such district it may include a part or all of said city or city and county, and the boundaries of such district shall be determined by the governing body of such city, or city and county; and the district may be created and enlarged by said governing body so as to include any territory contiguous thereto; *provided*, that any city or city and county or unincorporated territory not in such district at the time of its creation may be annexed thereto as provided in subdivision e of section six, chapter 218, Statutes of 1921. Such".

AMENDMENT NUMBER SEVEN.

On page 1, line 8, of the printed bill, before the word "for" insert the following: "shall be formed".

AMENDMENT NUMBER EIGHT.

On page 1, line 10, of the printed bill, strike out the words "sea wall" and insert in lieu thereof the words "sea walls".

AMENDMENT NUMBER NINE.

On page 1, line 10, of the printed bill, strike out the word "there".

AMENDMENT NUMBER TEN.

On page 1, line 11, of the printed bill, strike out the word "along".

AMENDMENT NUMBER ELEVEN.

On page 1, line 12, of the printed bill, after the word "and" insert the following: ", all other improvements necessary or convenient for the construction of a rail, and, or water terminal, and".

AMENDMENT NUMBER TWELVE.

On page 1 of the printed bill, strike out all of lines 12, 14, 15, and 16, commencing with the comma after the word "purposes" in line 13, and insert in lieu thereof the following: "and for the purpose of forming such harbor district. Such governing body for the purpose of providing a fund, or funds, for the payment of any indebtedness incurred under the provisions of this act is hereby authorized to levy and collect taxes in said district in accordance with the provisions of the charter of said city, or city and county, and to issue and sell its bonds in accordance with the constitution of the State of California, as hereinafter provided."

AMENDMENT NUMBER THIRTEEN.

On page 1, line 17, of the printed bill, strike out the word "a" and insert in lieu thereof the word "the".

AMENDMENT NUMBER FOURTEEN.

On page 1, line 18, of the printed bill, strike out the words "or municipalities within such district" and insert in lieu thereof the words "in which said governing body is located".

AMENDMENT NUMBER FIFTEEN.

On page 1, line 24, of the printed bill, strike out the period after the word "thereto" and insert in lieu thereof the following: "; provided, that only electors residing in said district shall be entitled to vote at any such election."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 81?"

The roll was called, and Assembly amendment to Senate Bill No. 81 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Senate Bill No. 81 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FORTY-NINE.

Senator Lyon asked for and was granted unanimous consent to take up Senate Bill No. 149.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED FORTY-NINE.

AMENDMENT NUMBER ONE.

On page 6, line 42, of the printed bill, after the word "streets" insert the following: "(or the city engineer, in the cases herein provided.)"

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 149?"

The roll was called, and Assembly amendment to Senate Bill No. 149 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Dennett, Eden, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rouinger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Senate Bill No. 149 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 16 passed Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Constitutional Amendment No. 51 read first time, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 16 passed the following:

Assembly Bill No. 277—An act to repeal section 3a of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance," approved May 10, 1915, as amended;

Also: Assembly Bill No. 506—An act to regulate the sale and use of narcotic habit-forming drugs in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended;

Also: Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also: Assembly Bill No. 1107—An act to amend an act defining the term, lowest responsible bidder, on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or state improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 28, 1876, approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 thereof;

Also: Assembly Bill No. 1294—An act to amend section 1454 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 277 read first time, and referred to Committee on Corporations.

Assembly Bill No. 506 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 520 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1107 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1294 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

POWERS, Chairman.

Senate Bill No. 390 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on roads and highways, to which was referred Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system":

Also: Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway:

Also: Assembly Bill No. 972—An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras big trees in the national forest to be a State highway: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

POWERS, Chairman.

Assembly Bills Nos. 137, 338, and 972 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1905, as amended, has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

RUSH, Vice Chairman.

Senate Bill No. 705 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables

specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

RUSH, Vice Chairman.

Assembly Bill No. 590 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 677—An act to amend section 653*ab* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

RUSH, Vice Chairman.

Assembly Bill No. 677 ordered on file for second reading.

Also

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

RUSH, Vice Chairman.

Assembly Bill No. 891 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an act approved March 4, 1897, entitled "An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor," and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

RUSH, Vice Chairman.

Assembly Bill No. 879 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing and sparring matches or exhibitions—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership: 9; committee vote: Ayes: 6; noes: 1; absent: 2.

SAMPLE, Chairman.

Assembly Constitutional Amendment No. 6 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended:

Also: Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes:

Also: Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof:

Also: Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts:

Also: Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 126 passed by the following vote:

AYES—Senators Boggs, Burnett, Canepa, Creighton, Gates, Dr., Godsil, Gray, Handy, Ingram, Inman, Johnson, M. B. Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sharkey, Slater, Swing, and West—22

NOES—Senators Allen, Arbuckle, Breed, Carr, Chamberlin, Eden, Gates, E. J., Hart, and Hughes—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon Senate Bill No. 209 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 60—An act to amend section 1073 of the Political Code, relating to elections.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—35.

The Secretary announced the absentees.

Time, twelve o'clock and ten minutes.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (RESUMED).

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

On motion of Senator Creighton, Senate Bill No. 275 was passed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and twelve minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had **not answered to their names**.

The roll was called, and Senate Bill No. 60 was finally refused passage by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Demott, Gates, E. J. Hart, Johnson, A. B. Lewis, and Rominger—14.

NOES—Senators Eden, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, Swing, and West—21.

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 60 was refused passage.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

In the absence of the author, Senate Bill No. 84 was passed on file.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State highway.

On motion of Senator Swing, Senate Bill No. 305 was passed on file.

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to pros-

pect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

On motion of Senator Arbuckle, Senate Bill No. 688 was passed on file.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the Judicial Department.

AMENDMENTS FROM THE FLOOR.

Senator Chamberlin moved to amend Senate Constitutional Amendment No. 25 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 49, of the printed bill, after the word "constitution", insert the following: "containing a population of more than forty thousand inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 3, of the printed bill, strike out the period (.) immediately after the word "constitution" and insert in lieu thereof a comma (,) and the following: "and having the population hereinbefore in this section specified,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, at the end of section 11, immediately following the words "municipal court" in line 38, insert the following: "Whenever any city having a municipal court is formed into a consolidated city and county with the combined powers of a city and county, under proceedings therefor as elsewhere in this constitution provided, such municipal court shall thereupon and thereby be and become the municipal court of such city and county, and the provisions of this article applicable to municipal courts in cities shall be applicable to the municipal court of such city and county."

Amendment adopted.

Senate Constitutional Amendment No. 25 ordered to print, engrossment, and on file.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

On motion of Senator Gray, Senate Bill No. 329 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

In the absence of the author, Senate Bill No. 194 was passed on file.

LEAVE OF ABSENCE.

At the hour of three o'clock p.m. Senator Powers was, on request of Senator Allen, excused for the remainder of the legislative day.

Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 96 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Sample, and West—28.

NOES—Senators Carr, Hughes, McDonald, Sharkey, Slater, and Swing—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Senate Bill No. 361 to Senator Rominger as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1 to 6, inclusive.

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the following: "Sec. 2" and insert in lieu thereof the following: "Section 1".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the numeral "3" and insert in lieu thereof "2".

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill, strike out the numeral "4" and insert in lieu thereof the numeral "3".

ROLL CALL DEMANDED.

A roll call was demanded by Senators Chamberlin, Inman and Osborne.

The question being on the motion to refer.

The roll was called, and the motion to refer to a Special Committee of One lost by the following vote:

AYES—Senators Arbuckle, Canepa, Carr, Chamberlin, Crowley, Gates, E. J., Johnson, A. B., Lewis, Lyon, McDonald, and West—11.

NOES—Senators Allen, Boggs, Breed, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—24.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 361 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

TITLE AMENDED.

Senator Sample moved to amend the title of Senate Bill No. 361 as follows:

AMENDMENT NUMBER ONE.

In line 2, of the title, after the word "in" insert the words "fish and game districts nineteen, twenty *a* and twenty-one".

Motion carried, and amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 141—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, and as amended by chapter CXX of the laws of 1917, approved April 24, 1917, by amending section 50 thereof, providing for the regulation of vessels operating on the inland waters of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 141 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canapa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 passed by the following vote:

AYES—Senators Allen, Arbanckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Irman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use

and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917. Statutes of California of 1917, page 1461.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

On motion of Senator Swing, Senate Bill No. 633 was passed on file.

Senate Bill No. 174—An act to authorize the making of a survey, and the preparation of plans and estimates, and the construction of a highway from the town of Alturas, in Modoc County, to New Pine creek on the Oregon-California line by the most direct and practical route connecting with the Oregon State highway.

In the absence of the author, Senate Bill No. 174 was passed on file.

Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boges, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 698 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

Senator McDonald moved to amend Senate Constitutional Amendment No. 23 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed resolution, omit the words "either house" and insert in lieu thereof the words "both houses."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed resolution, omit the words "either house" and insert in lieu thereof the words "both houses."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed resolution, after the period insert the words "With the exception of the secretary and sergeant-at-arms of the senate and chief clerk and the sergeant-at-arms of the assembly, all employees and attaches of both houses shall be selected under the provisions of state laws governing civil service."

Amendment adopted.

Bill ordered to print, engrossment and on file.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened, Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

LEAVE OF ABSENCE.

At three o'clock and forty minutes p.m., Senator Swing was, on motion of Senator Osborne, excused for remainder of this legislative day.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water—reports that we have met a like committee of the Assembly, consisting of Assemblymen Prendergast, Snyder and Spalding, and we report that the Committee on Free Conference has agreed to recommend the following: That said Senate Bill No. 19 as amended in the Assembly be amended to read as follows:

AMENDMENT NUMBER ONE.

On page 11, line 52, of the printed bill as amended in the Assembly, strike out all after the word "improvement", and on page 12, lines 1 and 2, and insert in lieu thereof the words "at a uniform amount per acre."

EDEN.
HARRIS.
HANDY.

Senate Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference, and the adoption of the amendment.

The roll was called, and the report of Committee on Free Conference and the amendment adopted by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, John

son, A. B., Lewis, Murphy, Neison, Osburne, Rominger, Rush, Sample, Sharkey, Slater, and West—28.

NOES—None.

Senate Bill No. 19 ordered to enrollment.

REPORT OF SPECIAL COMMITTEE ON REVENUE AND TAXATION.

The following report was presented by Senator Nelson, and ordered printed in the Journal:

SACRAMENTO, April 16, 1923.

MR. PRESIDENT: The Senate Committee on Revenue and Taxation to which was referred the matter of investigating and determining the revenues and available assets of the State for the ensuing biennium have had such matters under consideration and investigation, and respectfully reports as follows:

Consideration was first given to the report of the State Board of Equalization as to estimated revenue, which is found on page X of Budget Recommendations and estimated revenues for seventy-fifth and seventy-sixth fiscal years, submitted to the Senate and Assembly by Honorable Friend Wm. Richardson, Governor. The report of said board represents the conservative minimum of revenue to accrue from the sources named and totals \$85,237,000 for said biennium, mentioning that of said amount \$5,200,000 will not be available because of litigation and leaving a total net available revenue of \$80,037,000.

Several items in the report of the State Board of Equalization are worthy of mention. The estimated revenue to accrue from inheritance taxes is given as \$4,800,000 for 1923 and \$5,400,000 for 1924. These amounts are considerably under collections from these sources for the past three years. In the fiscal year 1920-21 the State collected from this source \$6,804,731.98, in 1921-22 \$6,344,644.35, and the estimated revenue for 1922-23 as made by the Board of Control is \$5,600,000. In other words, the average from this source for the past three years amounts to more than \$6,000,000 annually and it is not probable that future accruing revenues will annually run under this figure. This indicates the extreme conservatism of the State board's estimate.

The item of interest in bank deposits is given at \$450,000 annually. We feel that this amount is underestimated. In the seventy-third fiscal year there was collected from this source \$665,204.14. The Board of Control has estimated the revenue to accrue from this source for the seventy-fourth fiscal year to amount to \$658,000. The State Treasurer reports that the revenue to accrue during the ensuing biennium from this source will not be less than \$1,380,000, or \$480,000 more than the amount listed by the State Board of Equalization. This does not take into consideration pending legislation which seems certain of passage by the Legislature and which will produce additional revenue from this source amounting to several hundreds of thousands of dollars. We accordingly find that the estimated net revenue to accrue from the sources named by the State Board of Equalization should be increased by \$480,000.

The attention of your committee was next directed to the state of forecast of the general fund status June 30, 1923, made by the State Board of Control. This forecast has an important bearing on State finances, for by it it would appear that the State would on June 30, 1923, be facing a deficit of over \$1,000,000. This statement shows as of February 1, 1923, an estimated deficit on June 30, 1923, of \$742,268.92. Since that time additional emergency appropriations totaling \$322,000 were passed by this Legislature and swelling the total estimated deficit to \$1,068,000 in round figures. On checking over this estimate it was discovered that there was an admitted error therein amounting to \$500,000 by including an inheritance tax charge in that amount twice, and that the estimated deficit should therefore be reduced by \$500,000; and that there was an additional fixed charge on highway bonds interest amounting to \$200,000 which should be added, thereby reducing said estimated deficit by \$240,000 net, leaving a net probable deficit of \$828,000.

This estimate as made by the Board of Control, while correct as revised as hereinbefore suggested as a matter of charges appearing upon the books of the State, does not reflect the true status of the State funds or available revenues. The estimate referred to shows and carries the total charges appearing upon the books without taking into consideration the actual status of the various accounts or the unexpended balances remaining in the various funds, and which are or will be available for general fund purposes. To be more specific, attention is called to the following items: Among the charges carried on the books as outstanding encumbrances is the sum of \$3,000,000 by reason of veterans' welfare legislation passed in 1921. Of this amount \$750,000 has actually been set aside to this account, and about \$500,000 thereof actually expended. This appropriation contemplated reimbursing the general fund of the State from a bond issue which was authorized and confirmed by the people of this State at the last fall election. Of the \$3,000,000 to be advanced, \$100,000 is

to be retained by the Veterans' Welfare Board and the remaining amounts advanced are to be repaid out of the first proceeds of bond sale. Interest rates on these bonds are to be fixed and determined by the boards charged with the administration of the acts involved, and can readily be disposed of. The amounts advanced by the State to this board should be repaid within a reasonable time, and the resultant charge of \$2,900,000 removed from the State's encumbrances.

Another credit that will accrue to the State will be in the balances from general appropriations for the 71st and 72d fiscal years of approximately \$350,000; also \$6,000 that remains in deficiency appropriations for the 71st and 72d fiscal years; and also \$66,000 that will revert to the general fund under the four year clause. The foregoing items were furnished by the State Controller. As the executive budget does not provide for the operation of Pacific Colony it would appear that \$208,389.50 will be available from that source. An item of \$200,000 appropriated in 1911 for Monterey harbor improvement, and which was attempted to be reappropriated in 1917 for the same purpose, should likewise be considered. In 1921 legislation was enacted which causes to be averted to the general fund six years after, available appropriations made prior to 1921; said act however, not to apply to cooperative work under the specific agreement or under contract. No specific agreements or contracts are known to exist with reference to this particular project and it seems that this amount will revert at the expiration of six years from the date it became available in 1917.

Continuing with a consideration of the statement of forecast by the Board of Control herein before referred to, there is contained therein the charge of estimated funding requirements for the 73d and 74th fiscal years of \$88,203,383.16. It is conservatively estimated by the State Controller and Superintendent of Accounts of the Board of Control that at least \$1,000,000 of this amount will be unexpended and not used.

It further appears from the said statement of forecast that there was increase in the revised estimate for fixed charges of \$3,382,956.23. The exact requirements for school funds has been determined since the preparation of said forecast and it is now found that the school requirements are \$87,225.09 less than estimated and that this amount should be deducted from the estimated increase in fixed charges.

Totaling the revisions and additions to be made to determine the actual status of the general fund as of June 30th, 1923, and allowing the charge of \$750,000 to stand for the Veterans' Welfare Fund, we find that against the probable deficit of \$828,000 found by the Board of Control should be credited a balance of unexpended funds of \$4,067,645.25, or a surplus of approximately \$3,239,645.

Considering next the revenues which will be available during the ensuing biennium and which do not appear in the printed reports of the State Board of Equalization or budget estimates we call attention first to the increase in revenue to accrue from interest on bank deposits of \$180,000; second, the refund from Veterans' Welfare Fund of \$750,000; third, the sum of \$695,344.90, receipt of which was reported by the State Controller under date of October 3d, 1922, in the junior college fund, against which there is a charge of \$120,000, and the balance of which, or approximately \$575,000, will be available for the school fund; and, fourth, the item of \$919,700 estimated revenue by the State Controller from interest on permanent school fund. The two items last mentioned should be taken into consideration as accruing revenue to the State, for they serve to lessen the demands or requirements on the general fund to the amounts named, leaving such amounts available for general governmental purposes. It should be borne in mind that the committee had under consideration available revenues only and except as herein noted, have not considered expenditures or demands from same. Expenditures and appropriations are proper matters for the Finance Committee. Information as to all revenues should be placed before the Legislature for consideration in connection with expenditures to be made and cost of State government generally. In the preparation of the budget the Board of Control, according to its statement, listed as revenue items coming within the definition of that term as contained in the financial statistics of states in 1921, issued by the Department of Commerce, Bureau of Census. Revenue is therein defined to "represent amounts of moneys or other wealth received by, or placed to the credit of the state governments for governmental purposes, under such conditions that they increase the assets without increasing the debt liabilities." These sources of revenues which will decrease the budgeted demands on the general fund should be and are included herein. The committee accordingly submits, that to the revenues tabulated by the Board of Equalization, there is to be added the aggregate sum of \$2,724,700, making the total available revenue of the State subject to appropriation for the ensuing biennium the sum of \$86,001,345.25. Included in the last named amount are bonds purchased and owned by the State amounting to \$4,463,500. No account is taken of the tax moneys due the State and at present impounded in litigation and that will accrue during the next biennium from the same sources, amounting with penalties, to over \$12,000,000. A more detailed inquiry would probably reveal additional revenues.

The State carries in its various funds amounts ranging from twenty to twenty-five millions of dollars. Where revenues are certain to accrue from known sources, temporary transfers can be made to the general fund by the State Controller upon

request by the Governor. From the practical or business standpoint the administration of the State's government can be safely conducted on the basis of having available the amount of revenue herein set forth.

NELSON, Chairman.
CANEPA.
JONES.
HARRIS.
ALLEN.
POWERS.
JOHNSON, M. B.
BOGGS.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496b, making second hand dealers liable for receiving stolen books—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bill No. 1042 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 100—An act to amend section 1810c of the Code of Civil Procedure, relating to the compromise of claims of minors;

Also: Assembly Bill No. 101—An act to amend section 1810b of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff;

Also: Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer";

Also: Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bills Nos. 100, 101, 97 and 1086 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justices' courts; and relating to the salaries of certain justices of the peace;

Also: Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of

office; by providing for additional deputy clerks for said courts, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—10; nays—1; absent—3.

JONES, Chairman.

Assembly Bills Nos. 58 and 57 ordered on file for second reading.

SENATOR INMAN IN THE CHAIR.

At two o'clock and fifty minutes p.m., Senator Inman of the seventh district was called to the chair.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 682—An act creating a commission for the revising, systematizing and reforming of the laws of this State, providing for the appointment of the members of said commission, prescribing the powers and duties of said commission, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation, and that it be re-referred to the Committee on Finance.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bill No. 682 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended:

Also: Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents;

Also: Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights-of-way for roadways thereto:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bills Nos. 288, 629 and 716 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bill No. 701 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code:

Also: Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors;

Also: Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as

amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership: -14; committee vote: Ayes 11; absent 3.

JONES, Chairman.

Senate Bills Nos. 113, 198 and 524 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments;

Also: Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester;

Also: Senate Bill No. 325—An act to amend section 57a of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, relating to the powers of the Superintendent of Banks in respect to certain loans and investments;

Also: Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act; And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a board of education;

Also: Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Murphy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—31.

The Secretary announced the absentees.

Time, three o'clock and twenty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER THE CALL OF THE SENATE.

Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 717 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

On motion of Senator Dennett, Senate Bill No. 417 was passed on file.

Senate Bill No. 212—An act to add a new section to the Political Code, to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

On motion of Senator Sharkey, Senate Bill No. 212 was passed on file.

Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

On motion of Senator Carr, Senate Bill No. 287 was passed on file.

Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

On motion of Senator Inman, Senate Joint Resolution No. 19 was passed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Murphy.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 523 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gray, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, and Slater—22.

NOES—Senators Arbuckle, Breed, Chamberlin, Gates, Dr., Godsil, Hart, Hughes, Hurley, McDonald, Sharkey, and West—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the words "and gas" "electric light" and in line 4, strike out the words "electric power lines, telephone and telegraph lines."

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the words "and gas" and strike out all of line 4 on page 1 of the printed bill and in line 5, page 1 of the printed bill, strike out the word "lines."

Amendments refused adoption.

Bill read second time, ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 838—An act to amend section 2319*j* of the Political Code, relating to the licensing of nurserymen and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock.
Bill read third time.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of joint highway districts composed of two or more counties of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 791 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Godsil, Gray, Handy, Hart, Hughes, Hurley, Inman, Johnson, A. B. Johnson, M. B. Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator McDonald:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act authorizing the leasing of certain portions of the waterfront of San Francisco for post office purposes.

Request referred to Committee on Rules.

By Senator Allen:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act relating to assessments for city improvements.

Request referred to Committee on Rules.

PETITION—(OUT OF ORDER).

The following petition was presented by Senator Gates, Dr., on request, and ordered printed in the Journal.

To the California Senate.

HONORED SIR: The Oroville Woman's Christian Temperance Union, consisting of over fifty voters, do hereby petition your honorable body to vote down Assembly Joint Resolution No. 1, or any other bill tending to the amendment or nullification of the Eighteenth Amendment or Volstead Act, the premises of said bill being utterly against facts, there being many products of our State whose revenue exceeds that of wine grapes. The income from eggs alone is greater, as figures prove. Neither is there any "agricultural depression," since the grains formerly used for beer now manufacture bread and feed stock. Also, the large majority vote for the Wright bill, stamps the seal of California's approval upon the Volstead Act.

The Union also petitions the Senate to vote against Assembly Constitutional Amendment No. 6, which would increase the number of rounds in so-called "boxing events," making them veritable "slugging matches," and would also add to the budget the salaries of two secretaries, four or more deputies, and traveling and other (unspecified and unlimited) expenses.

Your vote against Assembly Bill No. 128, which would repeal the act maintaining the Industrial Farm for Delinquent Woman, is also requested by the Union.

But this organization does ask your affirmative vote for the Williams Bill, entitled Assembly Constitutional Amendment No. 9, which would permit the use of the Bible in the public schools, as is allowed in the east and elsewhere.

Respectfully submitted,

OROVILLE WOMAN'S CHRISTIAN TEMPERANCE UNION.

Mrs. L. B. GRAY, Corresponding Secretary.

THIRD READING OF SENATE BILLS—(RESUMED).

Assembly Bill No. 448—An act declaring the Kings River Canyon highway to be a part of the seven per cent State highway system, and providing for the construction and maintenance thereof.

Assembly Bill No. 448 passed on file.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution, relating to the right of suffrage.

Assembly Constitutional Amendment No. 24 passed on file.

Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property.

Assembly Bill No. 461 passed on file.

Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

Assembly Bill No. 462 passed on file.

Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State.

Assembly Bill No. 463 passed on file.

Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300c of the Political Code, relating to recorders and fees.

Assembly Bill No. 464 passed on file.

Assembly Bill No. 1160—An act to repeal section 1511b of the Penal Code, relating to the viewing of the body by a coroner's jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1160 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1161 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1162 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hart moved to refer Assembly Bill No. 250 to Senator Breed as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE

Strike out in line 3 following the word "that" the words "the same can be used while the elevator is being operated" and insert the words "the operator can reach his control lever but it need not be so located that he can reach his door latch or door control".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 250, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Murphy, adopted.
Bill ordered to print, and re-engrossment.

REPORT OF COMMITTEE ON FREE CONFERENCE

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Free Conference, considering Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law—reports that we have met in a like committee of the Assembly, consisting of Assemblymen Radham, Morrison and Matthews, and we report that the Committee on Free Conference has agreed to recommend the following:

AMENDMENT NUMBER ONE

On page 1, line 19, of the printed bill as amended in the Assembly, after the word "least" insert the words "three years, within the period of"

JONES, Chairman.
LYON.
NELSON.

The question being on the adoption of the report of the Committee on Free Conference and the adoption of the amendment.

The roll was called, and the report of the Committee on Free Conference and amendment adopted by the following vote:

AYES: Senators Allen, Arbuttle, Bagley, Breed, Bennett, Canine, Clegg, Coughlin, Gates, Dr. Gabriel, Gray, Harbo, Hart, Hughes, Huxley, Ingalls, Johnson, M. B. Jones, Lewis, Lyon, McDonald, Osborne, Rush, Sampf, Sharkey, Slater and West. 28.

NOES: None.

Senate Bill No. 269 ordered to enrollment.

Assembly Bill No. 894—An act to amend section 3460 of the Political Code relating to the reapportionment of reclamation assessments.

On motion of Senator West, Assembly Bill No. 894 was re-referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 327—An act to amend section 4 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended.

Assembly Bill No. 327 passed on file.

Assembly Bill No. 328—An act to add a new section, to be numbered 1a, to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment.

Assembly Bill No. 328 passed on file.

Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 959 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, and Slater—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 149—An act to amend section 3440 of the Civil Code, providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Assembly Bill No. 149 passed on file.

Assembly Bill No. 31—An act to amend section 19.10 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 31 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Gates, Dr., asked for and was granted leave of absence for the next legislative day.

ADJOURNMENT.

At four o'clock and twenty-five minutes p.m., on motion of Senator Breed, Senator Inman declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, April 18, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West 37.

Quorum present.

PRAYER.

Prayer was offered by Rev. David C. Williams, Assemblyman of the forty-ninth district of California.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 17, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senator Inman was, on motion of Senator Jones, granted leave of absence for the morning session.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to J. A. Filcher of Sacramento.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended Dr. W. R. Prather of Lake County and Harry J. Maginiss of San Francisco.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 12, 1923, adopted Assembly Concurrent Resolution No. 19—Relative to the amendment of the joint rules.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Assembly Concurrent Resolution No. 19 read, and referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17 passed the following:

Assembly Bill No. 324—An act to amend section 628a of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board;

Also: Assembly Bill No. 862—An act to amend section 626c of the Penal Code, relating to protection of deer;

Also: Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties;

Also: Assembly Bill No. 1092—An act to amend sections 1, 2 and 4 and to repeal sections 5, 6, 7, 8, 9, 10 and 53 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent therewith, approved May 19, 1915," approved May 28, 1917, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 324 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 611 read first time, and referred to Committee on Elections.

Assembly Bill No. 862 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 948 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1092 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17 adopted Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Constitutional Amendment No. 2 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17, 1923, adopted Assembly Joint Resolution No. 25—Relative to the control of floods of the Sacramento River and to appropriations to be made by Congress in

compliance with the provisions of the Act of Congress to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes, approved March 1, 1917.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Joint Resolution No. 25 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED ONE.

Senator Eden asked for and was granted unanimous consent to take up Senate Bill No. 101.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED ONE.

AMENDMENT NUMBER ONE.

On page 6, of the printed bill as amended March 30, 1923, after line "26" insert the following:

"16. The county traffic officer, three thousand dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer five deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer, and shall receive a salary of two thousand eight hundred and twenty dollars per annum each, which shall be paid by said county in monthly installments, at the same time, in the same manner, and out of the same funds as the salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

AMENDMENT NUMBER TWO.

On page 6, line 27, of the amended printed bill, strike out the figures "16" and insert in lieu thereof the figures "17".

AMENDMENT NUMBER THREE.

On page 6, line 30, of the amended printed bill, strike out the figures "17" and insert in lieu thereof the figures "18".

AMENDMENT NUMBER FOUR.

On page 6, line 30, of the amended printed bill, strike out the figures "18" and insert in lieu thereof the figures "19".

AMENDMENT NUMBER FIVE.

On page 7, line 3, of the amended printed bill, strike out the figures "19" and insert in lieu thereof the figures "20".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 101?"

The roll was called, and Assembly amendments to Senate Bill No. 101 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Lewis, Murphy, Osborne, Rominger, Rush, Slater, Swing, and West—24.

NOES—None.

Senate Bill No. 101 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17, 1923, passed the following:

Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water:

Also: Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 496 and 497 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17, 1923, passed the following:

Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions:

Also: Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes:

Also: Senate Bill No. 320—An act to amend sections 1, 2, and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations:

Also: Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of non-residents:

Also: Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment:

Also: Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1a, relating to hearings upon applications for a permit to appropriate water, and 1b, relating to actions for review and to priority of right.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 242, 310, 320, 426, 468 and 495 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 17 passed the following:

Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego:

Also: Senate Bill No. 70—An act to amend section 2605 of the Political Code, relating to San Diego Bay:

Also: Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities:

Also: Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof:

Also: Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests;

Also, Senate Bill No. 240—An act granting certain unclaimed and abandoned lands of the State of California to the County of Orange in said State upon certain trusts and conditions.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 69, 70, 77, 237, 119 and 240 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the payment of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments:

Also, Assembly Bill No. 684—An act to amend an act entitled "An act to define the boundary, provide for the sale, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended:

Also, Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3480½, authorizing the governing boards of reclamation districts to hire a clerk:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote, Ayes—5; absent—4.

RUSH, Chairman.

Assembly Bills Nos. 610, 684, and 1139 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 147—An act to authorize reclamation districts to refund outstanding bonded indebtedness, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote, Ayes—5; absent—4.

RUSH, Chairman.

Senate Bill No. 147 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 181—An act to authorize said Senate and the Director of the State Department of Education to contract with the Federal Government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

HUGHES, Chairman.

Assembly Bill No. 181 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 256—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

HUGHES, Acting Chairman.

Assembly Bill No. 256 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders;

Also: Senate Bill No. 700—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake; And reports that the same have been correctly engrossed.

HUGHES, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature;

Also: Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the judicial department, and providing for the establishment of municipal courts;

And reports that the same have been correctly re-engrossed.

HUGHES, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 517—An act to amend section 5 and section 7 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended;

Also: Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036a, relating to foreign depositions;

Also: Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law;

Also: Senate Bill No. 693—An act to amend section 4218 of the Political Code relating to the making of maps and assessment block books;

Also: Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores;

Also: Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds;

Also: Senate Bill No. 400—An act authorizing the Regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses;

Also: Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922;

Also: Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of April, 1923, at two o'clock and fifteen minutes p.m.

HUGHES, Acting Chairman.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HANDY, Chairman.

Assembly Bill No. 429 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts:

Also: Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts:

Also: Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors:

Also: Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192a, relating to commitment of imbeciles:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 1036, 1037, 1075 and 1276 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, as amended, by adding a new section to be numbered 22a, relating to maintenance of public schools in detention homes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bill No. 2 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments:

Also: Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed;

Also: Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to escapes and attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work;

Also: Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary;

Also: Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code;

Also: Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 865, 884, 939, 941, 942 and 943 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211a, regarding the definition of robbery and the degrees thereof:

Also: Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery;

Also: Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny;

Also: Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape;

Also: Assembly Bill No. 1033—An act to amend section 1942 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 944, 945, 946, 947, and 1033 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; absent—5.

JONES, Chairman.

Assembly Bill No. 288 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810d, relating to estates of minors:

Also: Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury;

Also: Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 291, 697, and 1224 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 122—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence;

Also: Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead;

Also: Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to peace officers;

Also: Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146a, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes;

Also: Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals;

Also: Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 123, 124, 143, 160, 218, and 252 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts;

Also: Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names;

Also: Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents;

Also: Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial;

Also: Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the State of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission;

Also: Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 276, 728, 292, 294, 308 and 725 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees;

Also: Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Senate Bills Nos. 324 and 714 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

JOHNSON, M. B., Chairman.

Assembly Bill No. 246 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into six fish and game districts", and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 130 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 252 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 409 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 425—An act to amend section 626 of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 425 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 439—An act to amend section 628a, of the Penal Code, relating to

fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 439 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 506 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 511—An act to amend section 626 of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 511 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 515 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 544 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 603 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 604—An act to amend section 626 of the Penal Code, relating to fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 604 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended. Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 678 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Senate Bill No. 696 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator McDonald to introduce a bill entitled—An act authorizing the leasing of certain portions of the waterfront of San Francisco for post office purposes—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators—Allen, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator McDonald: Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for post-office purposes.

Senate Bill No. 723 referred to Committee on Commerce and Navigation.

REQUEST FOR INTRODUCTION OF BILL.

The following requests for permission to introduce bills were presented:

By Senator Hart:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation to pay the claim of B. F. Coulter, Association, a corporation, against the State of California.

Request referred to Committee on Rules.

By Senator Dennett:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections, to be numbered 11a, relating to storage of water in underground basins and subsequent storage of said water in surface reservoirs; and 11b, relating to ascertainment of maximum amounts of water that may be withdrawn from underground basins without overdraft, requiring permits for use on other than overlying lands, and directing refusal of permits when a condition of maximum draft from an underground basin exists.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or material used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 18 to 21, inclusive, and in lieu thereof insert the following: "of said constituents are derived; and which said label shall include and state on same the foreign or added substance or substances used to make up the complete fertilizer formula. All".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out the period following the word "petition" and insert in lieu thereof a semi-colon and the following: "*provided, however, the court may, before making such order, require the petitioner to file a bond or deposit a sum of money sufficient to cover the expenses of transporting such insane person from the hospital where such insane person is confined, to the court where said petition is to be heard.*"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "lawful".

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 23 of the printed bill, strike out the word "lawful".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, strike out the words "counties and cities" and strike out all of line 17 on page 2 of the printed bill and insert in lieu thereof the following: "Cities and counties and to all counties from the first to the sixteenth class inclusive."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, strike out the period following the word "nine" and insert in lieu thereof a semicolon and the following: "*Provided, however,* that in counties having less than five thousand population, the exemption provided by subdivision five of section one hundred ninety-nine of this code shall not apply."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 10, of the printed bill, strike out the words "one hundred thousand" and insert in lieu thereof the following "ninety thousand."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5 commencing with the word "section" in line 28, strike out all of line 28 and all of the printed matter down to and including the word "attendance" and the period following said word in line 52, page 5 of the printed bill.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 1, of the printed bill, strike out the number "10" following the word "section" and insert in lieu thereof the figure "9."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 18, of the printed bill, strike out the figures "11" following the word "section" and insert in lieu thereof the number "10."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Carr.

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out all of line 19 and insert in lieu thereof the following:

"That in cities and counties and in counties of the first to the sixteenth".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 20, of the printed bill, after the word "class" strike out the comma and insert in lieu thereof the word "inclusive" and a comma after the word "inclusive".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, strike out the words "no limita-", also all of line 26, and in line 27 the words "employee of his dependents", and insert

in lieu thereof the following: "The limitation of time provided by subsections (b) (1) and (b) (2) of section eleven of this act in which such employee or his dependents may file proceedings for the collection of the benefits provided by subsection "a" of section nine is hereby extended to two years from the date of the injury."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 28, page 2, strike out the word "be" and insert in lieu thereof the words "have been".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650 $\frac{1}{2}$, relating to assessments.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Senate Bill No. 707 to Senator Sample, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the amended bill, after the word "assessed" insert the following: "in any county or city and county".

AMENDMENT NUMBER TWO.

On page 1 of the amended bill, strike out all of line 13, after the word "applied", and all of lines 14, 15, 16 and 17, and in lieu thereof insert a comma and the following: "or which, as shown by affidavit, has either been brought into the state by a non-resident subsequent to said first Monday in March, or on said date was being operated with a license plate issued by another state or country."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 707, with instructions to amend, respectfully reports the same back, amended as per instructions.

SAMPLE, Special Committee.

Report read, and on motion of Senator Boggs, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 401—An act providing rules and regulations governing reforestation under which exemption from taxation may be obtained.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 401 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy Nelson, Osborne, Rominger, Rush, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

On motion of Senator McDonald, Senate Constitutional Amendment No. 23 was passed on file.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the judicial department.

On motion of Senator Chamberlin, Senate Constitutional Amendment No. 25 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

In the absence of the author, Senate Bill No. 194 was passed on file.

Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 486 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 325—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

In the absence of the author, Senate Bill No. 325 was passed on file.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An

act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

On motion of Senator Burnett, Senate Bill No. 29 was passed on file.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 174—An act to authorize the making of a survey, and the preparation of plans and estimates, and the construction of a highway from the town of Alturas, in Modoc County, to New Pine creek on the Oregon-California line by the most direct and practical route connecting with the Oregon State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 174 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

On motion of Senator Dennett, Senate Bill No. 417 was passed on file.

Senate Bill No. 212—An act to add a new section to the Political Code, to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

On motion of Senator Sharkey, Senate Bill No. 212 was passed on file.

Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

On motion of Senator Carr, Senate Bill No. 287 was passed on file.

Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

In the absence of the author, Senate Joint Resolution No. 19 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777,

and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

On motion of Senator Canepa, Senate Bill No. 393 was passed on file.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 275 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoe, Arizona, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 305 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

On motion of Senator Gray, Senate Bill No. 329 was passed on file.

Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

On motion of Senator Sample, Senate Bill No. 377 was passed on file.

Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 709 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Dennett, Eden, Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 436 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 43, of the printed bill, strike out the word "twelve" and the letter "B" and the quotation marks.

Motion to refer lost.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 436 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Chamberlin, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senator Canepa—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Sharkey gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 436 was passed.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 972—An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras big trees in the national forest to be a State highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 47, of the printed bill, after the word "inches" insert the following: "not more than".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 36, of the printed bill, after the comma following the word "crate" insert the following: "with a tolerance of three heads of lettuce per crate".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 677—An act to amend section 653*sb* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 44, of the printed bill, after the word "milk" following the word "fat", insert the following: " (except that to be manufactured into cheese and except that to be skimmed for making butter "for cooking and baking only" as provided in paragraph (b) of section six of this act)".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 26, of the printed bill, after the word "cream" insert the following: ", (except that for making butter "for cooking and baking only" as provided in paragraph (b) of section six of this act)".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 37, of the printed bill, after the word "copyrighted", insert the following: ", (except that for making butter "for cooking and baking only" as provided in paragraph (b) of section six of this act)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 25, of the printed bill, strike out the word "homogenized".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 45, of the printed bill, strike out the words "and coloring".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 11, of the printed bill, strike out the word "millileters" and in lieu thereof insert the word "milliliters".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 13, line 17, of the printed bill, after the period following the word "therein", insert the following as a new paragraph:

"(p) No imitation milk or cheese or oleomargarine shall be used in any of the charitable or penal institutions that receive assistance from the state."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 15, line 16, of the printed bill, after the word "frequency", strike out the period and in lieu thereof insert the following: ", and if suitable toilet and lavatory facilities and clean towels are not provided for employees".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 16, line 8, of the printed bill, after the word "shall" insert the word "date,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 16, line 32, of the printed bill, after the word "of" insert the word "receiving,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 16, line 38, of the printed bill, after the word "be" insert the word "received,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 20, strike out all of lines 36 to 41, inclusive, and in lieu thereof insert the following: "All vehicles, boats or conveyances, while transporting milk or cream or clean empty containers, intended for milk or cream, shall either be enclosed or provided with canvas covering or otherwise afford necessary protection from the direct rays of the sun and from the outside warm air and from dust, mud,

FILE, and that copies of information, when in the possession of an authorized representative of the Department of Agriculture of the State of California, it is necessary.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article therein to be numbered 24, relative to boxing and sparring matches or exhibitions.

COMMITTEE AMENDMENTS.

During the reading of the Assembly Constitutional amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the amended printed bill, after the word "of" insert the words "any existing law or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, of the amended printed bill, strike out the said colon and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the amended printed bill, beginning with and including the word "provided" strike out the remainder of line 15 and all of lines 16, 17, 18, 19 and 20 inclusive.

Amendment adopted.

Assembly Constitutional Amendment No. 6 read, and ordered to print, engrossment, and on file.

Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496b, making second hand dealers liable for receiving stolen books.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "or" first appearing in said line, and insert in lieu thereof the word "and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 100—An act to amend section 1810 of the Code of Civil Procedure, relating to the compromise of claims of minors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 101—An act to amend section 1810b of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office; by providing for additional deputy clerks for said courts.

Bill read second time, and ordered on file for third reading.

MOTION TO RECONSIDER.

Pursuant to notice given on a previous day Senator Lyon moved to reconsider the vote by which Senate Bill No. 60 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 60 was refused passage, was continued until the next legislative day.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 30, heretofore set as a special order for 12 o'clock m., the same was taken up for consideration.

Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

CONSIDERATION OF SPECIAL ORDER—THIRD READING OF SENATE BILL NO. 30.

Senate Bill No. 30—An act providing for the organization, establishment, government and maintenance of county school districts.

Bill read third time.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Eden moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—26.

The Secretary announced the absentees.

Time, two o'clock and fifteen minutes.

The President pro tempore directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 448—An act declaring the Kings River canyon highway to be a part of the seven per cent State highway system, and providing for the construction and maintenance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 448 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution

of said State by amending section 1 of article II of the constitution relating to the right of suffrage.

Assembly Constitutional Amendment No. 24 read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 24 adopted by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Slater, Swing, and West—28.

NOES—Senator Dennett—1.

Assembly Constitutional Amendment No. 24 ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Sample was, upon request of Senator Eden, excused for remainder of this legislative day.

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 250 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 327 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty-eight minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Eden.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 30 was refused passage by the following vote:

AYES—Senators Arbuckle, Breed, Dennett, Eden, Harris, Johnson, A. B., Jones, Sample, Sharkey, and West—10.

NOES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Slater, and Swing—23.

SENATOR INGRAM IN THE CHAIR.

At two o'clock and thirty-eight minutes p.m., Senator Ingram of the third district was called to the chair.

Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 461 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 461 was passed.

Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 462 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 462 was passed.

Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 463 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 463 was passed.

Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300c of the Political Code, relating to recorders and fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 464 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 464 was passed.

Assembly Bill No. 328—An act to add a new section, to be numbered 1a, to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" Act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Assembly Bill No. 283 passed on file.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

Assembly Concurrent Resolution No. 13 passed on file.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Assembly Bill No. 734 passed on file.

Assembly Bill No. 516—An act to amend the title of, and to add a new section to be numbered 8 to an act entitled "An act to provide for public cemetery districts," approved March 6, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 516 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Dennett, Eden, Godsil, Gray, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sharkey, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1177 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Creighton, Dennett, Eden, Godsil, Gray, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sharkey, Slater, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 346 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Creighton, Dennett, Eden, Godsil, Gray, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sharkey, Slater, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District.

Assembly Bill No. 543 passed on file.

Assembly Bill No. 896—An act to provide for the organization and government of public park districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 896 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sharkey, Slater, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of water-works or parts thereof belonging to such municipality to municipal water districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 115 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sharkey, Slater, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

Assembly Bill No. 315 passed on file.

Assembly Bill No. 247—An act amending sections 10 and 11 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drug-less healing and chiropody.

Assembly Bill No. 247 passed on file.

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Assembly Bill No. 1090 passed on file.

Assembly Bill No. 1091—An act to amend section 3a and section 3c of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances.

Assembly Bill No. 1091 passed on file.

Assembly Bill No. 1149—An act to amend section 633a of the Political Code, relating to licensing of insurance and surety brokers.

Assembly Bill No. 1149 passed on file.

Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons.

Assembly Bill No. 185 passed on file.

Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 18 passed by the following vote:

AYES—Senators Allen, Arbuckle, Canepa, Carr, Creighton, Eden, Godsil, Gray, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sharkey, Slater, and West—23.

NOES—Senators Dennett, Inman, and Jones—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 983—An act to amend sections 2, 5, 16 and 17 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered 24a, relating to the powers and duties of the Commissioner of Corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 983 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 832 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 17 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sharkey, Slater, Swing, and West—29.

NOES—Senator Chamberlin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 175 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 847 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 150 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Harley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1148 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Harley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 149 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Godsil, Gray, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sharkey, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 476—An act to amend section 7 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 476 to Senator Rush, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the title of the printed bill, strike out the "11" after the word "April" and insert in lieu thereof "27".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the "11" following the word "April" and insert in lieu thereof "27".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 476, with instructions to amend, respectfully reports the same back, amended as per instructions.

RUSH, Special Committee.

Report read, and on motion of Senator Lyon, adopted.
Bill ordered to print, and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON IRRIGATION.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Senate Bill No. 83 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 19—Relative to the amendment of the joint rules—has had the same under consideration, and respectfully reports the same back, and recommends that the resolution be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Concurrent Resolution No. 19 ordered on file.

RESOLUTION.

The following resolution was offered by Senator Breed and ordered printed in the Journal:

WHEREAS, The approach of adjournment of the Legislature sine die requires that the time of the Legislature be conserved to the utmost; therefore, be it

Resolved, That from and after this date, speeches on the floor of the Senate be limited to ten minutes in length for opening speeches, and five minutes for all other speeches. Extensions of time beyond said periods may be granted only by unanimous consent.

REPORT OF COMMITTEE ON CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Conference, concerning Assembly Bill No. 307, entitled "An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California," reports that we have met a like Committee of the Assembly, consisting of Assemblymen Baker, C. C., and Duval and Assemblywoman Broughton, and beg leave to report that the two Committees on Conference have agreed to, and submit the following amendments with recommendations that the same be adopted.

AMENDMENT NUMBER ONE.

On page 1, lines 5 and 6, strike out the following: "and of the State of California, including the study of American institutions and ideals".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the words "and of the State of California".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, strike out the words "and of this state".

AMENDMENT NUMBER FOUR.

On page 1, line 25, of the printed bill, strike out the word "on" and insert in lieu thereof the word "or".

WEST,
ARBUCKLE,
CHAMBERLIN,

Senate Committee on Conference.

The question being on the adoption of the report of the Committee on Conference.

The roll was called, and the report refused adoption by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Chamberlin, Dennett, Eden, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Slater, Swing, and West—29.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII; consisting of sections numbered 653aa to 653ax inclusive, and relating to non-profit cooperative associations with or without capital stock—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

MOTION.

Senator Inman moved that Senate Bill No. 85 be continued on the unfinished business file.

ADJOURNMENT.

At four o'clock and twenty-five minutes p.m., on motion of Senator Breed, Senator Ingram declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Thursday, April 19, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 18, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Bert Kahn and Mrs. P. J. Gray of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to U. S. Marshall James Holohan.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Burnett Sheean and Capt. C. Thompson of San Francisco.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Richard W. Montell of Alameda.

On request of Senator Johnson, A. B., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Marian Delany, President of League of Women Voters of San Francisco, Mrs. J. C. Whitman, of American Association University Women of Sacramento, Miss E. W. White of Parent-Teachers Association of Sacramento, Mrs. Alfred Esberg and Mrs. Alfred McLaughlin of League of Women Voters of San Francisco.

LEAVES OF ABSENCE.

Senator Boggs was, on motion of Senator Burnett, granted leave of absence for this day.

Senator Sample was, on motion of Senator Lyon, granted leave of absence for this day.

Senator Gray was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Dennett, granted leave of absence for this day.

PRESENTATION OF PETITIONS.

Senator Crowley received telegrams from A. R. McDowell, Jr., and thirty-three other dentists, protesting against Assembly Bill No. 442.

Senator McDonald received from Dr. Geo. F. Compton and thirty other dentists, telegrams protesting against Assembly Bill No. 442.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Assembly Bill No. 307, recommending the appointment of a Committee on Free Conference and the following Assemblymen were appointed: Cleveland, Dozier, and Christian, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Jones, Harris and Inman, as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 307.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands;

Also: Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors;

Also: Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county;

Also: Assembly Bill No. 622—An act to repeal section 927ⁿ of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof;

Also: Assembly Bill No. 645—An act to amend section 1313 of the Civil Code, relating to charitable bequests.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 197 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 592 read first time, and referred to Committee on Insurance.

Assembly Bill No. 620 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 622 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 645 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Joint Resolution No. 11—Relating to national parks;

Also: Assembly Joint Resolution No. 13—Relative to the indorsement of H. R. 13298 and Senate Bill 4142: to amend the war risk insurance and the vocational rehabilitation act so as to include disabled veterans, of all the wars of the United States, and their dependents.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Joint Resolutions Nos. 11 and 13 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference, and the amendment concerning Senate Bill No. 269.

ARTHIUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bill No. 269 ordered to enrollment.

UNFINISHED BUSINESS—CONSIDERATION OF ASSEMBLY AMENDMENTS TO
SENATE BILL NUMBER EIGHTY-FIVE.

Senator Inman asked for and was granted unanimous consent to take up Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653~~aa~~ to 653~~xx~~ inclusive, and relating to non-profit cooperative associations with or without capital stock.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 5 of the title, after the word "stock", strike out the word "for", also strike out all of line 6 of the title, and in line 7 strike out the word "cooperation".

AMENDMENT NUMBER TWO.

On page 4, line 18, of the printed bill, strike out the word "addresses" and insert in lieu thereof the word "residence".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, at the end of line 41, insert the words "directors and".

AMENDMENT NUMBER FOUR.

On page 4, line 42, of the printed bill, strike out the words "by one of them", and insert in lieu thereof "by each".

AMENDMENT NUMBER FIVE.

On page 8, line 24, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER SIX.

On page 9, line 47, of the printed bill, strike out all of lines 47, 48, 49, 50 and 51, and on page 10 of the printed bill strike out all of lines 1, 2 and 3.

AMENDMENT NUMBER SEVEN.

On page 10, line 28, of the printed bill, after the word "cooperative" insert the words "or other".

AMENDMENT NUMBER EIGHT.

On page 10, line 44, of the printed bill, strike out the words "in duplicate".

AMENDMENT NUMBER NINE.

On page 10, line 49, of the printed bill, strike out all after the period, and, also, all of lines 50 and 51, and on page 11 all of lines 1 and 2, and insert in lieu thereof "said statement shall be attached to the amended articles of incorporation".

AMENDMENT NUMBER TEN.

On page 5, line 43, of the printed bill, after the word "annum", insert the following: "and which dividends shall be in the nature of interest and shall not affect the non-profit character of any association organized hereunder."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 85?"

The roll was called, and Assembly amendments to Senate Bill No. 85 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Senate Bill No. 85 ordered to enrollment.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference received and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 307, entitled "An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California"—reports that we have met a like committee of the Assembly, consisting of Assemblymen C. C. Baker, Walter H. Duval and Assemblywoman Broughton, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

WEST,
ARBUCKLE,
CHAMBERLIN.

Senate Committee on Conference.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That W. T. Christiansen, Assistant at Desk at \$5.00 per day, be transferred to the position of Assistant Secretary, at \$7.00 per day.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Slater, and Swing—28.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District;

Also: Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district;

Also: Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

Committee membership—7; committee vote: Ayes 6; absent—1.

DENNETT, Chairman.

Assembly Bills Nos. 87, 229, and 1264 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 39—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by amending section 28 of said act, and by repealing section 32½ of said act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Senate Bill No. 39 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Senate Bill No. 229 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all

persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Senate Bill No. 478 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 40—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, 4236n, 4236o, 4236p, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 40 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect", approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 1268 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15, and 17 of an act entitled, "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended:

Also: Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bills Nos. 34 and 131 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness:

Also: Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bills Nos. 479 and 480 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties; providing for the government of such districts; designating the officers thereof and prescribing their powers and duties:

Also: Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds:

Also: Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18b thereof: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bills Nos. 192, 397 and 398 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in

whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended;

Also: Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bills Nos. 386 and 915 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Senate Bill No. 718 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 655—An act to amend section 10 of an act entitled "Improvement Act of 1911"—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Senate Bill No. 655 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

INMAN, Chairman.
JOHNSON, A. B.
CHAMBERLIN.
MURPHY.
ROMINGER.
LEWIS.
JOHNSON, M. B.

Assembly Bill No. 489 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent

with the provisions of this act," approved April 23, 1915, by amending section 52 thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

INMAN, Chairman.
JOHNSON, A. B.
CHAMBERLIN.
ROMINGER.
LEWIS.
MURPHY.
JOHNSON, M. B.

Assembly Bill No. 748 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended;

Also: Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents;

Also: Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto;

Also: Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships;

Also: Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code;

Also: Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors;

Also: Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission; And reports that the same have been correctly engrossed.

HUGHES, Acting Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 36504, relating to assessments—and reports that the same has been correctly re-engrossed.

HUGHES, Acting Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California

Highway Commission in the general fund of the California Highway Commission, which fund is hereby created—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

POWERS, Chairman.
GRAY.
GODSIL.
HANDY.
McDONALD.
INGRAM.
ALLEN.
SWING.
RUSH.
CROWLEY.

Senate Bill No. 721 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hart to introduce a bill entitled "An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California" has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership 5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Hart: Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California.

Senate Bill No. 724 referred to Committee on Finance.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Dennett to introduce a bill entitled "An act to amend the 'Water Commission Act,' approved June 16, 1913, as amended, by adding thereto two new sections, to be numbered 11a, relating to storage of water in underground basins and subsequent storage of said water in surface reservoirs; and 11b, relating to ascertainment of maximum amounts of water that may be withdrawn from underground basins without overdraft, requiring permits for use on other than overlying lands, and directing refusal of permits when a condition of maximum draft from an underground basin exists—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Dennett: Senate Bill No. 725—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections, to be numbered 11a, relating to storage of water in underground basins and subsequent storage of said water in surface reservoirs; and 11b, relating to ascertainment of maximum amounts of water that may be withdrawn from underground basins without overdraft, requiring permits for use on other than overlying lands, and directing refusal of permits when a condition of maximum draft from an underground basin exists.

Senate Bill No. 725 referred to Committee on Irrigation.

The following constitutional amendment was offered:

By Senators Dennett and Rominger: Senate Constitutional Amendment No. 34—Relative to the abolition of the Legislature and the creation of a Council of State.

Senate Constitutional Amendment No. 34 referred to Committee on Constitutional Amendments.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Lewis:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1094 of the Political Code relating to registration of electors.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 147—An act to authorize reclamation districts to refund outstanding bonded indebtedness.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts, and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out that part of line 26 following the letter "A" and strike out that part of line 27 preceding the word "shall".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, following the semicolon, insert the following: "*and provided, further,* that gill nets are not to be used or operated in fish and game district twelve between the first day of June and the thirty-first day of July of any year, both dates inclusive; and no gill nets shall be used or operated in fish and game district twelve between the first day of May and the fifteenth day of May of the same year, both dates inclusive, any of the meshes of which shall measure less than seven and one-half inches in length;"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, strike out the words "thirty-first" and insert in lieu thereof the word "fifteenth".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, strike out the word "July" and insert in lieu thereof the word "May".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed bill, strike out the period and insert in lieu thereof the following: "*provided,* that trammel nets or gill nets are not to be used in fish and game districts twelve or twelve "I" between May sixteenth and May thirty-first, both dates inclusive, any of the meshes of which are, when drawn close together and measured inside the knots, less than seven and one-half inches in length."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 30, of the printed bill, following the comma after the word "*provided*" insert the following: "that every person who in fish and game districts nineteen, twenty "A" and twenty-one takes or catches any barracuda in any lompara or round haul net is guilty of a misdemeanor; *and provided further,*"

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 35, of the printed bill, following the semicolon insert the following: "*and provided further*, that every person who in fish and game districts nineteen, twenty "A" and twenty-one uses, operates, casts or extends any purse net any of the meshes of which are, when closely drawn together and measured inside the knots, less than four and one-half inches, for the purpose of taking or catching any fish, is guilty of a misdemeanor;"

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 38, of the printed bill, after the word "mesh" insert the following: "in fish and game district twelve".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 42, of the printed bill, following the semicolon insert the following: "*and provided further*, that every person who in fish and game districts one, two and three has in possession on any boat any gill net is guilty of a misdemeanor;"

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 12, of the printed bill, after the word "catching" insert the following: "catfish,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 13, of the printed bill, strike out the words "first day of December" and insert in lieu thereof the following: "fifteenth day of August".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 14, of the printed bill, strike out the words "last day of February" and insert in lieu thereof the words "fourteenth day of May".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 17, of the printed bill, strike out the period and insert in lieu thereof the following: "*provided further*, that nothing in this chapter shall be construed as prohibiting the sale of catfish caught in fish and game district twelve "B" between the fifteenth day of August and the fourteenth day of May of the year following, both dates inclusive."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 425—An act to amend section 626s of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill in line 3 following the period after the letter "S" insert the following:

"Fish and game district one "A," one "B," one "C," one "D," one "E," one "F," one "G," one "H," one "I," one "J," one "K," one "L," one "M," one "N," one "O," two "A," three "A," three "B," three "C," three "D," three "E," three "F," three "G," three "H," four "A," four "B," four "C," four "D," four "E," and four "F," inclusive, are hereby designated as game refuges.

Every person who hunts, pursues, takes, kills or destroys, or has in his possession any species of bird or mammal or parts thereof, or any fire arms in any game refuge, except under written permit from the board of fish and game commissioners, is guilty of a misdemeanor; *provided*, that nothing in this section shall prohibit the hunting and possession of water fowl in fish and game district four "A" and four "E" in accordance with the provisions prescribed in this chapter; *provided*, *further*, that nothing in this section shall prohibit the taking of any fish in any game refuge by such means and in such manner as may be prescribed in this chapter for the taking of fish in the main districts in which the refuge is located.

Every person who, in fish and game district number twenty-six takes, catches, kills or has in his possession any fish is guilty of a misdemeanor.

Every person found guilty of a violation of any of the provisions of this section shall be punishable by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail in the county in which conviction shall be had, not less than twenty-five days nor more than one hundred fifty days, or by both such fine and imprisonment. All fines and forfeitures collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out all of the line following the semicolon after the word "misdemeanor" and all of lines 2 to 5, inclusive. Strike out all of line 6 preceding the semi-colon, following the word misdemeanor and in lieu thereof insert the following:

"Provided that in fish and game districts 1, 1 $\frac{1}{2}$, 1 $\frac{1}{2}$, and 23 every person who between the fifteenth day of December and the thirtieth day of September, both dates inclusive of the year following hunts, pursues, takes, kills, destroys or has in his possession any mountain quail or who between the fifteenth day of December and the fourteenth day of October, both dates inclusive, of the year following, hunts, pursues, takes, kills destroys or has in his possession any valley quail is guilty of a misdemeanor.

Provided further that every person who in any county in fish and game district 1 $\frac{1}{2}$ bordering on the Pacific Ocean between the fifteenth day of January and the fourteenth day of November both dates inclusive, hunts, pursues, takes, kills, destroys or has in his possession any valley or mountain quail is guilty of a misdemeanor.

Provided further that in fish and game district 4 $\frac{1}{2}$ every person who at any time hunts, takes, kills or destroys or has in his possession any mountain quail, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 511—An act to amend section 626d of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Following the enacting clause preceding line 1 insert the following:

"SECTION 1. Every person in the State of California who hunts, pursues or kills any wild birds or animals and every person who takes, catches or kills any game fish for any purpose other than profit without first securing a license therefore; as provided by this act is guilty of a misdemeanor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the figure "1" following the word "Section" and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, following the abbreviation "Sec." strike out the figure "2" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, following the abbreviation "Sec." strike out the figure "3" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 26 and 27 and insert in lieu thereof the following:

"Provided that the fish and game commission shall prepare a combination resident-citizen hunting and sporting fishing licenses, to be issued to those entitled the the".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title following the word "amend" insert the following: "Sections one, two, three, five, seven, fifteen, seventeen, twenty-one and three fourths, twenty-five, twenty-seven, twenty-nine, thirty, thirty-one, thirty-two, thirty-eight, thirty-nine, forty-five and forty-six of".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of line 8 of the title and insert in lieu thereof the following: "Amended, and to add four new sections to be numbered fourteen a, fourteen b, twenty-one a, twenty-two a, twenty-nine a".

Amendment adopted.

SEC. 3. Section two and one-half of said act is hereby amended to read as follows:

SEC. 2½. Fish and game district one and one-half shall consist of and include those portions of Del Norte county not included in fish and game districts five, five "A," and six; those portions of Siskiyou county not included in fish and game districts one "A" and one "M"; those portions of Humboldt county not included in fish and game districts six, seven, seven "A," eight and nine.

SEC. 4. Section three of said act is hereby amended to read as follows:

SEC. 3. Fish and game district one "A" shall consist of and include all lands within the county of Siskiyou within the following boundaries: Beginning at the junction of Cole creek and the Klamath river state highway, thence northerly along Cole creek to its source; thence northerly in the most direct line to Dry Lake Lookout; thence in a direct line to the source of Dead Cow creek; thence northerly to West Beaver creek; thence easterly along West Beaver creek to where said creek crosses West Beaver creek trail near the mouth of West Beaver creek; thence southerly following the westerly side of Beaver creek trail and Beaver creek road to the Klamath river state highway; thence westerly following the northerly side of said highway to Cole creek, the point of beginning.

SEC. 5. Section five of said act is hereby amended to read as follows:

SEC. 5. Fish and game district one "C" shall consist of and include all lands lying within the county of Modoc within the following boundaries: Commencing at the boundary of the Modoc national forest on the east side of section twenty-eight, township forty-two north, range fourteen east, where Parker creek crosses the national forest boundary and following thence the south fork of Parker creek to the summit of the Warner mountains; thence along summit of said Warner mountains to the head waters of Mill creek, following course of Mill creek to Mill creek ranger station and Mill creek stock corrals in approximately section fifteen, township forty north, range fifteen east, M. D. M., (unsurveyed); thence along road running from Mill creek ranger station and stock corrals north of Cantrall's sawmill to the Bowman ranch, thence along same road to the Modoc national forest boundary on the center line of section thirty-three, township forty-one north, range fourteen east; thence north along said national forest boundary to Parker creek, the point of beginning.

SEC. 6. Section seven of said act is hereby amended to read as follows:

SEC. 7. Fish and game district one "E" shall consist of and include all lands lying within the county of Shasta within the following boundaries: Beginning at a point on the McCloud river where the ridge between Chatterdown creek and Clayborn creek meets the McCloud river; thence in a southerly direction following the east bank of said river to the point where the ridge north of Mathless creek meets the McCloud river; thence in an easterly direction along the summit of said ridge and along the summit of the ridge dividing the Salt creek drainage area from the Nasoni creek drainage area; thence along the summit of the ridge dividing the Salt creek drainage area and the north fork of Squaw creek to Squaw creek; thence northerly along the west bank of said creek to Fish Camp at the beginning of Camp Welcome trail, thence following the southerly side of said trail to the summit of the divide between Clayborn creek and Chatterdown creek, thence westerly along the summit of said divide to the McCloud river, the point of beginning.

SEC. 7. A new section is hereby added to such act to be known as section fourteen a and to read as follows:

SEC. 14a. Fish and game district one "N" shall consist of and include all lands lying within the county of Siskiyou within the following boundaries beginning at the sink of the Antelope in section six, township forty-four north, range one east. Thence southerly following the east bank of Antelope creek to the Antelope ranger station in section thirty-two, township forty-four north, range one east. Thence southerly following the east side of the road to Tennant to the junction of said Tennant road with the Stevens Pass road. Thence southerly following the east side of the Stevens Pass road to where said road crosses the township line between township forty-two and township forty-three north, range one west. Thence easterly along the township line between township forty-two and township forty-three north, to the southeast corner of township forty-three north, range one east. Thence northerly along township line between township one and two east to the northwest point of section eighteen, township forty-three north, range two east. Thence easterly along the northern boundaries of sections eighteen, seventeen, sixteen, fifteen and fourteen of said township to Punice Stone Well. Thence easterly along the north side of wagon road from Punice Stone Well to Medicine Lake. Thence northerly along the westerly side of wagon road from Medicine Lake via Lee Cave, passing through township forty-four north, range three east, township forty-four north, range four east, township forty-five north, range four east, through the northeast corner of township forty-five north, range three east and through township forty-six north, range three east to where said road crosses the township line between townships forty-six and forty-seven north. Thence following said township line westerly to the easterly side of the main road between McDoel and Merrill. Thence following southeasterly side of said road to the sink of Antelope, the point of beginning.

SEC. 8. A new section is hereby added to said act to be known as section fourteen b and to read as follows:

SEC. 14b. Fish and game district one "O" shall consist of and include all that certain territory within the county of El Dorado within the following boundaries:

Commencing at the junction of Silver creek with the south fork of the American river, in section twenty-four, township eleven north, range twelve east. Thence following easterly the American river to where said river crosses the Tahoe state highway. Thence following the northerly side of said Tahoe state highway to the Georgetown junction. Thence northerly following the westerly side of the Georgetown junction-Wilson road to Wilson. Thence northerly following the westerly side of the Wilson-Blakely road to where said road crosses the middle fork of Silver creek in section twenty-nine, township eleven north, range sixteen east. Thence following westerly down the middle fork of Silver creek to Silver creek. Thence westerly down Silver creek to the American river, the point of beginning.

SEC. 9. Section fifteen of said act is hereby amended to read as follows:

Sec. 15. Fish and game district two shall consist of and include all those portions of Mendocino county not included in fish and game districts ten and two "A"; all those portions of Glenn county not included in fish and game districts two "A" and twelve "A"; all those portions of Lake county not included in fish and game district two "A"; all those portions of Colusa county not included in fish and game districts twelve "A"; all those portions of Yolo county not included in fish and game district twelve "A" and twelve "B"; all those portions of Solano county not included in fish and game districts and twelve "B"; all those portions of Napa county not included in fish and game district twelve; all those portions of Sonoma county not included in fish and game districts ten and twelve; all those portions of Marin county not included in fish and game districts ten, eleven and twelve.

SEC. 10. Section seventeen of said act is hereby amended to read as follows:

Sec. 17. Fish and game district three shall consist of and include those portions of Contra Costa county not in fish and game districts three "F," twelve and twelve "B"; those portions of San Joaquin county not included in fish and game districts one and twelve "B"; those portions of Alameda county not included in fish and game districts twelve and thirteen; those portions of San Francisco county not included in fish and game districts ten, eleven, twelve and thirteen; those portions of San Mateo county not included in fish and game districts three "F," ten and thirteen; those portions of Santa Clara county not included in fish and game district thirteen; those portions of Santa Cruz county not included in fish and game districts three "A," ten, fourteen, fifteen and seventeen; those portions of San Benito county not included in fish and game district three "B"; those portions of Monterey county not included in fish and game districts sixteen, seventeen and eighteen; those portions of San Luis Obispo county not included in fish and game district eighteen; those portions of Santa Barbara county not included in fish and game districts three "C" and nineteen; those portions of Ventura county not included in fish and game districts three "D" and nineteen; those portions of Stanislaus county not included in fish and game district one; those portions of Merced county not included in fish and game district one; those portions of Fresno county not included in fish and game districts one, one "K" and twenty-six; those portions of Kings county not included in fish and game district one; those portions of Kern county not included in fish and game districts one and one "L."

SEC. 11. Section twenty-one and three-quarters of said act is hereby amended to read as follows:

Sec. 21½. Fish and game district three "F" shall consist of and include all of sections twenty-nine, thirty, thirty-one and thirty-two, township one north, range one east, all of sections five, six, seven and eight, township one south, range one east, all of sections twenty-five, twenty-six, thirty-five and thirty-six of township one north, range one west, all of sections one, two, eleven and twelve of township one south, range one west, all in Mount Diablo base and meridian.

SEC. 12. A new section is hereby added to said act to be numbered twenty-one a and to read as follows:

SEC. 21a. Fish and game district three "G" shall consist of and include all those lands of the Leland Stanford Junior University lying and being in the counties of San Mateo and Santa Clara, and consisting of lots numbers one to thirty-three inclusive; that portion of lots thirty-five and forty-two lying outside of the town limits of the town of Mayfield; lots thirty-six, forty-three, forty-six to seventy-five inclusive; eighty to eighty-six inclusive, eighty-nine to ninety-eight inclusive as shown on the map entitled "Map of the lands of the Leland Stanford Junior University at or near the site of the university in the counties of Santa Clara and San Mateo, by A. T. and F. A. Herrmann, of Herrmann Brothers," dated November, 1908, which map is recorded in the office of the county recorder of the county of Santa Clara, State of California.

SEC. 13. Section twenty-two of said act is hereby amended to read as follows:

Sec. 22. Fish and game district four shall consist of and include all those portions of Los Angeles county not included in fish and game districts four "B", four "F", nineteen, twenty and twenty "A"; all those portions of San Bernardino county not included in fish and game districts four "A", four "B" and twenty-two; all those portions of Orange county not included in fish and game districts four "C" and

nineteen; all those portions of Riverside county not included in fish and game districts four "C", four "D" and twenty-two.

SEC. 14. A new section is hereby added to said act to be numbered twenty-two *a* and to read as follows:

SEC. 22*a*. Fish and game district four and three-quarters shall consist of and include all those portions of San Diego county not included in fish and game districts four "E", nineteen and twenty-two and all those portions of Imperial county not included in fish and game district twenty-two.

SEC. 15. Section twenty-five of said act is hereby amended to read as follows:

SEC. 25. Fish and game district four "C" shall consist of and include that certain territory embraced within the Cleveland national forest, more particularly described as follows, to wit: The east half of township five south, range seven west; all of township five south, range six west, except sections one, two, three, ten, eleven and twelve; all of township six south, range six west, except the west one-half ($W\frac{1}{2}$) of fractional section nineteen, all of fractional section thirty and the west one-half ($W\frac{1}{2}$) of fractional section twenty-nine of said township six south, range six west; the west half of township six south, range five west; all of township seven south, range six west; the west one-half of township seven south, range five west; all in San Bernardino base and meridian in the State of California.

SEC. 16. Section twenty-seven of said act is hereby amended to read as follows:

SEC. 27. Fish and game district four "E" shall consist of and include that certain territory embraced within the Cleveland national forest, more particularly described as follows, to wit: All of sections twelve, thirteen, twenty-four, twenty-five and thirty-six, township fifteen south, range four east; all of sections one, two, ten, eleven, twelve, thirteen, fourteen, fifteen, the east half of section three, and the north half of sections twenty-two, twenty-three and twenty-four, township sixteen south, range four east; all of sections one to twelve inclusive, township sixteen south, range five east; all of township fifteen south, range five east; and sections twenty-seven to thirty-four inclusive, township fourteen south, range five east, San Bernardino base and meridian, all located within the county of San Diego.

SEC. 17. Section twenty-nine of said act is hereby amended to read as follows:

SEC. 29. Fish and game district five shall consist of and include the waters of Smith river in Del Norte county from its mouth to Bailey's riffle.

SEC. 18. A new section is hereby added to said act to be numbered twenty-nine *a* and to read as follows:

SEC. 29*a*. Fish and game district five "A" shall consist of and include the ocean waters and tidelands of the state to high water mark lying between the northern boundary of the state and line extending due west from the west end of the north jetty at the entrance to Humboldt bay.

SEC. 19. Section thirty of said act is hereby amended to read as follows:

SEC. 30. Fish and game district six shall consist of and include the waters of the Klamath river from its mouth to the mouth of McGarvey creek.

SEC. 20. Section thirty-one of said act is hereby amended to read as follows:

SEC. 31. Fish and game district seven shall consist of and include the ocean waters and tidelands of the state to high water mark between line extending due west from the west end of the north jetty at the entrance of Humboldt bay and the southern boundary of Mendocino county and shall exclude the ocean waters between the north and south jetties at the entrance of Humboldt bay from the westerly end of each of said jetties in the Pacific ocean to their respective aprons on the shores of Humboldt bay, and shall also exclude all sloughs, streams and lagoons.

SEC. 21. Sections thirty-eight, thirty-nine, forty-five and forty-six of said act are hereby amended to read as follows:

SEC. 38. Fish and game district twelve "A" shall consist of and include all the waters of the Sacramento river flowing within the main channel between the "M" street bridge at Sacramento and the Vina ferry near the town of Vina, in Tehama county.

SEC. 39. Fish and game district twelve "B" shall consist of and include all waters and tidelands to high water mark of the Carquinez straits not included within fish and game district twelve, the waters and tidelands to high water mark of Suisun bay, all waters of the Sacramento river flowing within the main channel between the mouth thereof and the "M" street bridge at Sacramento, the main channel of Steamboat slough and Sutter slough; the waters of New York slough and Broad slough; all waters of the San Joaquin river flowing within the main channel thereof to the Santa Fe railroad bridge across said river near Stockton; all waters of Old river between its mouth and the Santa Fe railroad bridge across said river at Orwood, and all lands and waters between the west bank of Old river and the east bank of the San Joaquin river north of the Santa Fe railroad between Orwood and the Santa

Fe railroad bridge across said river near Stockton, and excluding all tributary sloughs, creeks, bays, rivers and overflowed areas not specifically described herein.

Sec. 45. Fish and game district eighteen shall consist of and include the ocean waters and tidelands to high water mark of the state lying between a line extending due west from the mouth of Carmel river and the south boundary of Santa Barbara county, and shall exclude all rivers, streams, sloughs and lagoons.

Sec. 46. Fish and game district nineteen shall consist of and include the ocean waters and tidelands to high water mark of the state lying between the south boundary of Santa Barbara county and the southern boundary of San Diego county, and shall include all islands and waters adjacent thereto belonging to the State of California and lying off the coast of southern California, south of a line extending due west into the Pacific ocean from the north boundary of Santa Barbara county, exclusive of Santa Catalina island and state waters adjacent thereto; exclusive of all rivers, streams, lagoons and bays."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 604—An act to amend section 626 of the Penal Code, relating to fish and game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill and in lieu thereof insert the following:

"An act to add a new section to the Penal Code, to be numbered six hundred twenty-seven c, relating to fish and game."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2 and in lieu thereof insert the following:

"SECTION 1. A new section is hereby added to the Penal Code, to be numbered six hundred twenty-seven c and to read as follows:

627c. Every person who holds a non-resident hunting license shall be permitted to carry with him, but not to ship or offer for shipment, not more than the daily or season limit of game, as allowed by the law of this state, under such regulations as may be prescribed by the fish and game commission.

SEC. 2. All acts or parts of acts in conflict herewith are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 26, of the printed bill, after the word "flume", insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 9, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 19, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 25, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 29, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 31, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 38, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 2, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, strike out all of lines 14 to 34, inclusive.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 1, line 9, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 1, line 17, of the printed bill, after the word "flume" insert a comma and the word "tunnel".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, lines 8, 9 and 10, strike out the following: "six months after the ninetieth day after the final adjournment of the forty-fifth session of the legislature of California" and insert in lieu thereof the following: "ninety days after the filing with said Board of Supervisors of a petition, as hereinafter provided."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 25, of the printed bill, after the period, insert the following: "The petition hereinabove referred to shall be addressed to said board of supervisors of Santa Clara county, shall request said board to call said election as herein provided, and shall be signed by at least ----- qualified electors residing within the proposed district. The petition may consist of any number of separate instruments. When said petition is presented, said board of supervisors shall hear the same and shall proceed to determine whether or not said petition complies with the requirements hereinbefore set forth. If the board of supervisors shall determine that the petitioners have complied with the requirements hereinbefore set forth, it shall pass resolution to that effect and shall proceed to call said election as herein provided. If the board of supervisors should determine that the petitioners have not complied with the requirements hereinbefore set forth, it shall pass a resolution denying said petition and shall take no steps toward calling said election until petition complying with all requirements herein set forth shall have been filed with said board."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 16, line 26, of the printed bill, strike out the following: The period after the word directors, and insert in lieu thereof the following: " : *provided, however,* that such assessment any year shall not be more than one-half mill upon each dollar of assessed valuation of property within the district."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 37, line 8, of the printed bill, strike out the following: "fifty" and insert in lieu thereof the following: "twenty".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On pages 2, 3 and 4 of the printed bill, strike out the following:

Beginning with the words "beginning at the intersection," on line 1, page 2, to and including the words "the Peninsular railroad" on line 10, page 2, and insert in lieu thereof the following: "Beginning at the intersection of the center line of San Antonio avenue prolonged with the easterly line of the right of way of the Peninsular railroad";

And also beginning with the words "thence along Piedmont road, etc." on line 36, page 3, to and including the words "to the point of beginning" on line 39, page 4, and insert in lieu thereof the following: "thence southerly along the center line of Milpitas lane to an intersection with the center line of Capitol avenue; thence northwesterly along the center line of Capitol avenue to an intersection with the center line of the San Jose and Milpitas road; thence in a direct line northwesterly to the intersection of the center lines of Coyote creek and the Milpitas and Alviso road; thence westerly along the center line of the Milpitas and Alviso road to an intersection with the center line of the San Jose and Alviso road; thence in a direct line to the intersection of the center lines of the Santa Clara-Alviso and Alviso-Mountain View roads; thence westerly and southwesterly along the center line of the Alviso and Mountain View road to an intersection with the center line of Crossman avenue; thence northerly along the center line of Crossman avenue to the northerly line of lot four, and westerly along the northerly line of lots four, three, two, and one, of the W. E. Crossman subdivision number two; thence southerly along the westerly line of said W. E. Crossman subdivision number two, to the line between lots sixty-seven and sixty-eight of the J. T. Murphy subdivision; thence westerly along the line between lots sixty-six, sixty-seven, sixty-eight and sixty-nine, to the westerly line of said J. T. Murphy subdivision; thence on a direct line westerly to the northeast corner of lot five of the Capodoro tract; thence westerly on the line between lots five, six, twenty-one and twenty-two to the west line of the said Capodoro tract; thence westerly along the center line of Jagels road to an intersection with the center line of Whisman avenue; thence on a direct line westerly to the intersection of the west line of the Ynigo rancho with the south line of section ten, township six south, range two west, Mount Diablo base and meridian; thence west along the south line of said section ten to the center line of Stierlin road; thence north along the center line of Stierlin road to the center line of Charleston road; thence westerly along center line of Charleston road to the northwest corner and southerly along the west line of the property of H. Ringstorf as marked on the Santa Clara county map of December 1, 1914, to the westerly line of the Alsip subdivision; thence southerly and easterly along the west and south lines of the Alsip subdivision to the center line of Calderon avenue; thence southerly and westerly along the center lines of Calderon avenue, San Francisco and San Jose state highway, Jordan avenue and San Antonio avenue to point of beginning at intersection with the easterly line of the right of way of the Peninsular railroad."

Amendment adopted.

AMENDMENT NUMBER SIX.

On pages 4 and 5 of the printed bill, strike out the following:

Beginning with the words "Division 1. Beginning at," on line 36, page 4 and continuing to and including the words "point of beginning" on line 45, page 5, and insert in lieu thereof the following:

"Division 1. Beginning at the intersection of the southerly boundary line of the said district as hereinabove described with the center line of Snell road; thence easterly, northerly and westerly following the boundary line of said district to its intersection with the center line of Alum Rock road; thence southwesterly along the center line of said Alum Rock road to the easterly limits of the city of San Jose; thence following the easterly and southerly limits of the said city of San Jose to an intersection with the center line of the Monterey road; thence southeasterly along the center line of said Monterey road to an intersection with the center line of Snell road; thence southerly along the center line of Snell road to point of beginning.

Division 2. Beginning at the intersection of the southerly line of the said district as hereinabove described with the center line of Snell road; thence northerly along center line of Snell road to center line of Monterey road; thence northwesterly along the Monterey road to the center line of Story road; thence westerly and northerly along center line of Story road to the center line of Almaden road; thence southerly along center line of Almaden road to center line of Guadalupe creek; thence northerly along center line Guadalupe creek to the southerly limits of the city of San Jose; thence following the southerly and westerly limits of the city of San Jose to the center line of The Alameda; thence westerly along The Alameda to the easterly boundary of the city of Santa Clara; thence following south and west along the east and south boundary lines of the city of Santa Clara to an intersection with the center line of the Santa Clara-Los Gatos road; thence southerly along the center line of the Santa Clara-Los Gatos and San Jose-Los Gatos roads to the southerly boundary line of the district; thence easterly along the said southerly boundary line as hereinabove described to the point of beginning.

Division 3. Beginning at the intersection of the center line of the San Jose-Los Gatos road with the southerly boundary line of the district; thence northerly along the center lines of the San Jose-Los Gatos and Santa Clara-Los Gatos roads to the south boundary line of the city of Santa Clara; thence west and north along the south and west boundary lines of the city of Santa Clara to the center line of Fremont avenue; thence west along the center line of Fremont avenue to the southerly line of the district; thence easterly along the said southerly boundary line as hereinabove described to the point of beginning.

Division 4. Beginning at the intersection of the center line of Fremont avenue with the southerly boundary line of the district; thence east along the center line of Fremont avenue to the west boundary line of the city of Santa Clara; thence following northerly along the west boundary of the city of Santa Clara and the center lines of San Tomas Aquinas and Campbell creeks to the northerly boundary line of the district; thence following the northerly, westerly and southerly boundary lines of the district to the point of beginning.

Division 5. Beginning at the intersection of the easterly boundary line of the district as hereinabove described with the center line of Alum Rock road, thence southwesterly along the center line of said Alum Rock road to the easterly limits of the city of San Jose; thence along the easterly, northerly and westerly limits of the said city of San Jose to an intersection with the center line of The Alameda; thence westerly along the center line of The Alameda to the east boundary line of the city of Santa Clara; thence south, west and north along the east, south and west boundary lines to the northwest corner of the city of Santa Clara; thence northerly along the center lines of San Tomas Aquinas and Campbell creeks to the northerly boundary of the district; thence following the northerly and easterly boundaries of the district, easterly and southerly to the point of beginning."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 688. An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Arbuckle moved to refer Senate Bill No. 688 to Senator West as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 8, after the word "barrels" strike out the words: "but shall exceed two and one half barrels per day".

AMENDMENT NUMBER TWO.

On page 3, line 9, strike out the word "five" and insert in lieu thereof the word "two".

AMENDMENT NUMBER THREE.

On page 3, line 10, of the printed bill, after the word "production" strike out the semicolon and insert a period and strike out the remainder of line 10, together with all of lines 11 to 17, inclusive, and insert in lieu thereof the following:

"Sec. 3. A new section, to be numbered section eighteen *a* is hereby added to said act, approved May 25, 1921, to read as follows:

Sec. 18*a*. The surveyor general is hereby authorized to refuse to grant any permit or lease applied for under the provisions of this act when in his judgment the work of prospecting for, developing or extracting mineral would cause loss or damage to property near the land applied for."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 688, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator West, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 287—An act to amend section 361*a* of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

On motion of Senator Carr, Senate Bill No. 287 was passed on file.

Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 19 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

Senate Joint Resolution No. 19 ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Sharkey, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

On motion of Senator Gray, Senate Bill No. 329 was passed on file.

Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

In the absence of the author, Senate Bill No. 377 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and

approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 29 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 629 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Godsil, Gray, Handy, Harris, Hughes, Ingram, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or material used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

On motion of Senator Eden, Senate Bill No. 705 was passed on file.

Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 288 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Luman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 716 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code.

In the absence of the author, Senate Bill No. 113 was passed on file.

Senate Bill No. 212—An act to add a new section to the Political Code, to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 212 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 325—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 325 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 684—An act to amend an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1139—An act to add a new section to the Political Code, to be numbered 3480½, authorizing the governing boards of reclamation districts to hire a clerk.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 256—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192a, relating to commitment of imbeciles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School, and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, by adding a new section to be numbered 22a, relating to maintenance of public schools in detention homes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, beginning with the word "The" strike out all of the matter on the remainder of the page and all of the matter contained on page 3 and insert in lieu thereof the following:

"1. The board of supervisors shall have power to provide for the establishment and maintenance of an elementary public school in connection with the detention home of such county, for the education of such children as may be in said detention home. Said board, by ordinance, shall provide for the establishment and maintenance of school facilities in such detention home, and the school maintained in such detention home shall be maintained by the governing board of the elementary school district in which the detention home is situated, and shall be conducted in the same manner and under the same conditions, as nearly as may be possible, as are other elementary schools of the school district, except that the schools shall not be closed on school days, to-wit: Monday, Tuesday, Wednesday, Thursday, and Friday of each school week during the calendar year, except on school holidays and during the day or days in which the teachers' institute is in session, and the week in which Christmas Day occurs. The board is hereby authorized to close such school when it deems such closing necessary.

2. The board of supervisors shall provide suitable grounds, buildings, and furnishings for the school, and shall lease the same on or before July first at a nominal rental to the school district in which such detention home is situated and shall make an agreement with the board of school trustees or city board of education of the district in which the detention home is situated to transfer from the general fund of the county to the current expense fund of the district sixteen hundred dollars for each teacher employed in such detention home school for the first school year. The transfer of funds shall be made on or before the first Monday in January.

3. The board of trustees or city board of education in whose district the detention home is situated shall provide all necessary supplies. Said board shall employ at least one teacher for any number of pupils regularly enrolled in excess of five for the first year. Said teachers shall be under the jurisdiction of the regular school officials and shall make such reports as are required by law.

4. The average daily attendance shall be made up by dividing the total days' attendance by the total number of days the school in the detention home is maintained for the year. The superintendent of schools of the county in which the detention home is located shall allow one teacher for the first thirty-five pupils, or fraction not less than five, in average daily attendance in such school and one additional teacher for each additional unit of thirty-five pupils in average daily attendance or fraction thereof. The average daily attendance of said school shall be separately reported and allowed money on average daily attendance as is apportioned to other schools.

5. The board of supervisors of the county may make an agreement with the board of trustees or the city board of education of the district in which the detention home is located to transfer annually from the general fund of the county to the current expense fund of the district such sums in excess of the amount of money received from the state and county school funds as are necessary to maintain the school in the detention home."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460*a* and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211*a*, regarding the definition of robbery and the degrees thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1033—An act to amend section 19.42 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810*d*, relating to estates of minors.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "less than five" and insert in lieu thereof the words "one thousand dollars or less".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the words "hundred dollars".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the following: "not to exceed ten dollars a day,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the word "experts" and insert in lieu thereof the word "expert".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 15, 16 and 17 and in lieu thereof insert the following: "approved by the court. It shall be the duty of".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "felony" and insert in lieu thereof the word "misdemeanor".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to peace officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146*a*, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to justices' courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estate of decedents.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the State of Arizona in respect to the location and re-location of the common boundary of said States, and to report concerning the same and concerning an agreement between said States as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of

marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" Act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 283 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Slater, and Swing—27.

NOES—Senators Dennett, and Gates, Dr.—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

Assembly Concurrent Resolution No. 13 passed on file.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Assembly Bill No. 734 passed on file.

Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 543 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children: providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Assembly Bill No. 1090 passed on file.

Assembly Bill No. 1091—An act to amend section 3a and section 3c of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances.

Assembly Bill No. 1091 passed on file.

Assembly Bill No. 1149—An act to amend section 633a of the Political Code, relating to licensing of insurance and surety brokers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1149 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Slater and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319j of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in

Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 137 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Rush, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway.

Assembly Bill No. 338 passed on file.

Assembly Bill No. 972—An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras big trees in the national forest to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 972 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rush, and Slater—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 590 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rush, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 677—An act to amend section 653*sb* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 677 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rush, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Joseph A. Beek, Secretary of the Senate, at the desk.

LEAVES OF ABSENCE.

Senator Hart asked for and was granted leave of absence for remainder of legislative day.

Senator Rush asked for and was granted leave of absence for remainder of legislative day, and for Friday, April 20.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendment to Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendment to Assembly Bill No. 250?

The roll was called, and the Senate refused to recede from its amendment to Assembly Bill No. 250, by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Canepa, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Slater, and Swing—21.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Swing, Osborne and Hurley, as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendment to Assembly Bill No. 250.

REPORT OF STANDING COMMITTEE.

• The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit:

Also: Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith:

Also: Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will;

Also: Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure relating to notices to relatives of persons under guardianship; And reports that the same have been correctly enrolled, and presented the same to the Governor on this nineteenth day of April, 1923, at ten o'clock a.m.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 439—An act to amend section 628a of the Penal Code, relating to fish and game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert in lieu thereof the following:

"An act to empower the board of fish and game commissioners to regulate and control, stabilize and standardize the business of catching, taking, buying and selling of sardines, yellow fin tuna, blue fin tuna, albacore and striped tuna for canning, packing and preserving purposes and regulating and controlling the canning, packing, preserving and selling of such fish and other manufactured fishery products thereof; to license those engaged in the marketing and sale of such canned, packed and preserved fish or fishery products by wholesale; to provide penalties for violation of this act, and to promote the sale of canned, packed, or preserved fish and fishery products."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1, 2 and 3 and insert in lieu thereof the following:

"SECTION 1. The following terms used in this act shall, unless a different meaning is plainly required from the context, be construed as follows: A "person" shall be deemed to include individuals, partnerships, associations and corporations or their agents or employees; a "wholesale dealer" or "broker" is one who sells packed, canned or preserved fish or fishery products to the trade or dealer or to all others than the consumer,

Sec. 2. The board of fish and game commissioners is hereby vested with jurisdiction to regulate and control the taking, catching, buying and selling of sardines, yellow fin tuna, blue fin tuna, albacore and striped tuna for packing, canning and preserving for human consumption and for the manufacture of other fishery products, and the canning, packing and preserving of such fish for human consumption, and the manufacturing of fishery products and to regulate and control the business of selling or offering for sale or shipping or offering for shipment out of the State of California packed, canned or preserved sardines, yellow fin tuna, blue fin tuna, albacore, striped tuna or other fishery products manufactured thereof.

Sec. 3. The board of fish and game commissioners is hereby vested with full power, authority and jurisdiction to fix the minimum or maximum wholesale price of canned, packed or preserved sardines, yellow fin tuna, blue fin tuna, albacore and striped tuna or fishery products to be sold or offered for sale, shipped or offered for shipment out of the State of California.

Sec. 3a. The board of fish and game commissioners may, upon the request of two or more canners, packers or preservers of sardines, yellow fin tuna, blue fin tuna or striped tuna or manufacturers of other fishery products thereof, establish the maximum price to be paid those engaged in taking, catching, selling or delivering sardines, yellow fin tuna, blue fin tuna, albacore and striped tuna to canners, packers or preservers of such fish or the manufacturers of other fishery products thereof.

Sec. 3b. The board of fish and game commissioners may, upon the request of two or more canners, packers or preservers of sardines, yellow fin tuna, blue fin tuna or striped tuna or manufacturers of other fishery products thereof, establish the minimum or maximum wholesale price of all kinds of canned, packed or preserved sardines, yellow fin tuna, blue fin tuna, albacore and striped tuna for human consumption and fishery products thereof sold or offered for sale, shipped or offered for shipment out of the State of California and said prices shall be such as will allow a reasonable compensation or profit to those engaged in the catching or canning, packing or preserving and selling such fish or other manufactured fishery products thereof.

Sec. 4. A written or printed notice of any price established by the board of fish and game commissioners under section three *a* of this act shall be posted in a conspicuous place in the office of each cannery located in the district effected thereby five days before such price takes effect and will be deemed notice, to all persons catching, taking, selling or delivering such fish, of the price established.

Sec. 4a. A written or printed notice of any price established under section three *b* of this act must be served on each person, canning, packing or preserving such fish or manufacturer of other fishery products thereof five days before such price takes effect.

Sec. 4b. A written or printed notice of any price established by the board of fish and game commissioners under section three *b* shall be mailed to each wholesale dealer or broker at the address given in his license and such notice so mailed will be deemed notice to such wholesale dealers or brokers of such price.

Sec. 4c. Every canner, packer or preserver of fish or manufacturer of other fishery products and every wholesale dealer or broker shall, when a sale is made, make out an invoice showing the buyer or consignee, his address, the kind quantity and net price of any canned, packed or preserved fish, and no discount, rebate, bonus or other consideration, other than that appearing on the invoice, shall be given any buyer or consignee. A copy of such invoice shall be kept by the seller.

Sec. 4d. Any person engaged in the canning, packing or preserving of sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna or manufacturing of fishery products thereof, or any broker or wholesale dealer who ships out of this state on consignment or on any other understanding or condition any canned, packed or preserved sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna or other fishery products thereof and accepts or receives for the same a price less than the minimum price thereof established will be deemed to have sold and offered for sale shipped and offered for shipment such goods in this state.

Sec. 4e. Two or more persons engaged in the business of canning, packing or preserving of sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna for human consumption or manufacturers of other fishery products thereof may organize or cooperate as selling agents or may appoint a selling agent as a more economical means of distributing such products.

Sec. 5. Every wholesale dealer in, or broker, except a canner, packer or preserver of canned, packed or preserved sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna or other manufactured fishery products thereof shall pay an annual license fee of five dollars (\$5.00).

Sec. 6. The controller of the state shall prepare suitable licenses, designated by the fish and game commissioners, which shall license the holder of such license to sell wholesale, canned, packed or preserved sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna or other fishery products thereof (subject to the laws of this state and the rules of the board of fish and game commissioners) for the term of one year from the first day of July, of one year, to the thirtieth day of June of the year following. All licenses shall be numbered consecutively beginning with number

one and contain blanks for the insertion of the name of the holder, his place of business, which information shall be furnished by applicant to the board of fish and game commissioners. The controller shall sign all licenses and deliver the same to the fish and game commissioners on demand, who shall be charged for the same by the controller. Each license before delivery to the applicant, must be countersigned by the president of the board of fish and game commissioners.

SEC. 7. Every person engaged in the canning, packing, or preserving of sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna for human consumption or manufacturer of fishery products thereof shall keep a book or books in which shall be entered a full and correct record in the English language, the daily receipt of such fish, the daily pack in cans and cases, the amount of any other fishery products thereof, the net price received per case for such canned, packed or preserved fish and the net price received for any other fishery products thereof, the name and address of the buyer or consignee and the name and address of the broker or wholesale dealer, and every wholesale dealer or broker shall keep a record in the English language of the net price paid or received for any canned, packed or preserved sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna or other manufactured fishery products, thereof.

SEC. 8. The board of fish and game commissioners or a commissioner or a regularly appointed assistant or a person duly appointed by them may make investigations concerning all matters relating to the provisions of this act. In connection therewith the board of fish and game commissioners or a commissioner or their assistant or the person appointed by them shall have the right to inspect all records referred to in section seven hereof and are hereby empowered to hear complaints, administer oaths, to issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, records, documents, testimony in any inquiry, investigation or hearing or proceeding in any part of this state.

SEC. 8a. The superior court in and for the county, or city and county in which any inquiry, investigation or proceeding may be held by the board of fish and game commissioners, shall have power to compel the attendance of witnesses, the giving of testimony and the production of papers including books, records and documents as required by any subpoena issued as provided in this act. The court upon petition of the board of fish and game commissioners or their assistant or a person duly appointed by them to take testimony in any investigation under the provisions of this act, shall enter an order directing the witness to appear before the court at the time and place to be fixed by the court in such order, the time to be not more than ten days from the date of the order and then and there to show cause why he had not attended and testified or produced said papers before said board of fish and game commissioners or their assistant or the person appointed by them to take testimony. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpoena was regularly issued the court shall thereupon enter an order that said witness appear before said board of fish and game commissioners, or a commissioner, or their assistant or the person duly appointed to take testimony as provided in this act at a time and place to be fixed in such order and to testify and produce the required books, papers or records and upon failure to obey said order said witness shall be dealt with as for contempt of court.

SEC. 9. Complaint may be made by any officer charged with the enforcement of the fish and game laws or any person having knowledge of a violation of any of the provisions of this act or violating any of the rules or regulations made by the board of fish and game commissioners under the provisions of this act. Said complaint shall be in writing setting forth the particular offense charged to have been committed, a copy of which shall be filed with the board of fish and game commissioners and a copy served on the offender together with a notice setting forth the time and place of hearing which shall not be less than five days after service of said complaint and notice and said hearing must be held in the county in which said violations is alleged to have been committed.

The person must appear on the date and at the time mentioned in said notice and may make either an oral or written answer thereto.

If the person charged appears or if the person charged fails to appear the board of fish and game commissioners, or a commissioner, or a duly appointed assistant or a person duly appointed by them may proceed to take testimony in support of said charge and on behalf of the accused and submit the same to the board of fish and game commissioners for their decision and if the board of fish and game commissioners find the charges sustained by the evidence they may suspend the license of the offender.

SEC. 9a. Any person engaged in the canning, packing or preserving, buying, selling, shipping or offering for shipment sardines, yellow fin tuna, blue fin tuna, albacore or striped tuna or the manufacture of other fishery products thereof for a period not to exceed ninety days and if said license should expire during said period of suspension no new license shall be issued during such suspension.

SEC. 9b. Any person engaged in the business of catching, taking, buying, selling or delivering of sardines, yellow fin tuna, blue fin tuna, albacore, striped tuna to canners, packers or preservers of such fish or for the manufacture of other fishery products thereof, for a period not to exceed ninety days and if said license should expire during said period no new license shall issue during such period of suspension.

SEC. 10. If any section or subsection, sentence or clause or phrase of this act for any reason is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that anyone or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional; the objects intended are to standardize and stabilize the canning, packing and preserving of fish for human consumption and the manufacture of other fishery products and to conserve the fisheries of the state.

SEC. 11. Every person who violates section five of this act shall be guilty of a misdemeanor.

Every person found guilty of violating section five of this act shall be punished by a fine of not less than ten dollars nor more than five hundred dollars or imprisonment in the county jail of the county in which the conviction shall be had not less than ten days nor more than six months or by both such fine and imprisonment and all fines and forfeitures imposed or collected for any violation of this act and all moneys collected for the sale of licenses hereunder shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 696 - An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 13 to 30, inclusive, and insert in lieu thereof the following:

"It shall be unlawful for any person, firm or corporation to buy, sell, receive or use any kind or species of food fish, other than fish offal, for reduction purposes or for the manufacture of fish oil, fish meal or other fishery byproducts; *provided, however,* that any person, firm or corporation engaged in the business of canning, packing or preserving fish for human consumption may be allowed a reasonable wastage incurred in handling, canning or packing such food fish, the limit to the amount of such wastage to be determined by the fish and game commission at the end of each calendar week upon the basis of the weight of the fish received and by such other means as the fish and game commission may deem necessary; and such wastage may be used for reduction purposes. The fish and game commission shall not, however, permit a percentage of wastage in excess of twenty-five percent in the aggregate of the fish received by any canner, packer or preserver of fish for human consumption."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 6, of the printed bill, strike out the last two letters in the word "ordered".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 9, of the printed bill, strike out the word "plant" and insert in lieu thereof the words "plants and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

Assembly Constitutional Amendment No. 6 passed on file.

Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496*b*, making second hand dealers liable for receiving stolen books.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1042 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sharkey, Slater, and Swing—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 100—An act to amend section 1810*c* of the Code of Civil Procedure, relating to the compromise of claims of minors.

Assembly Bill No. 100 passed on file.

Assembly Bill No. 101—An act to amend section 1810*b* of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

Assembly Bill No. 101 passed on file.

Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 97 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be

recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded." approved March 15, 1907, as amended.

Assembly Bill No. 1086 passed on file.

RE-REFERENCE OF BILL.

On request of Senator Powers, Assembly Bill No. 197 was ordered taken from Committee on Roads and Highways and re-referred to Committee on Conservation.

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 58 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sharkey, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office; by providing for additional deputy clerks for said courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 57 passed by the following vote:

AYES—Senators Allen, Arbuttle, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Sharkey, and Slater—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 60 was refused passage was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 185 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Hughes, Hurley, Ingram, Johason, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sharkey, and Slater—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Jones, Assembly Bill No. 252 was re-referred to Committee on Judiciary.

Assembly Bill No. 247—An act amending sections 10 and 11 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 247 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Hughes, Hurley, Ingram, Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sharkey, Slater, and Swing—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

Assembly Bill No. 891 passed on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 393 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sharkey, Slater, and Swing—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Ingram asked for and was granted leave of absence for the next legislative day.

Senator Rominger was, on request of Senator Ingram, granted leave of absence for the next legislative day.

ADJOURNMENT.

At two o'clock and forty-five minutes p.m., on motion of Senator Gates, E. J., the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, April 20, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 19, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Osborne was, on motion of Senator Swing, granted leave of absence for this day.

Senator Dennett was, on motion of Senator Harris, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Handy the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. J. A. Pettis of Fort Bragg, and Mrs. W. C. Balfour of Oregon.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to G. McM. Ross, mining engineer, of Stockton.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Rex B. Goodeell of Los Angeles.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. C. Burdick of Richmond.

PETITIONS.

Senator McDonald received telegrams from Dr. E. J. Howard and three others protesting against Assembly Bill No. 440.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 20, 1923, passed the following:

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply;

Also: Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252 1/2 to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class;

Also: Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joint unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section three and one-half;

Also: Assembly Bill No. 423 An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 318 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 336 read first time, and referred to Committee on County Government.

Assembly Bill No. 401 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 423 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 19 passed the following:

Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools;

Also: Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito;

Also: Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921;

Also: Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297 relating to the posting of notices;

Also: Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction of said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 742 read first time, and referred to Committee on Education.

Assembly Bill No. 744 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1074 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1266 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1288 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 19 passed the following:

Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors;

Also: Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 244, providing for the annexation of unincorporated territory to a fire district.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1305 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1323 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 19 passed the following:

Assembly Bill No. 29—An act authorizing the establishment and government of port districts: providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof:

Also: Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof:

Also: Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors:

Also: Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes:

Also: Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 29 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 196 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 204 read first time, and referred to Committee on County Government.

Assembly Bill No. 212 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 265 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Conference on Assembly Bill No. 250 the following Assemblymen: Bromley, Dean, and Mitchell, T. A., to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for post-office purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

OSBORNE, Chairman.

Senate Bill No. 723 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

OSBORNE, Chairman.

Assembly Bill No. 587 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 521—An act to create a Narcotic Director empowered to handle the narcotic situation, said director to be a licentiate pharmacist of the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be re-referred to Committee on Governmental Efficiency.

Committee membership—7; committee vote: Ayes—5; absent—2.

CREIGHTON, Chairman.

Senate Bill No. 521 re-referred to Committee on Governmental Efficiency.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Earnest Dozier in the United States Army—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Assembly Joint Resolution No. 19 ordered on file.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Assembly Bill No. 417 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919:

Also: Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the deter-

mination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended:
Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Judiciary.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Assembly Bills Nos. 113 and 416 re-referred to Committee on Judiciary.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4.

EDEN, Chairman.

Assembly Joint Resolution No. 23 ordered on file.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to boards of school trustees and city boards of education—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—15; committee vote: Ayes—12; absent—3.

HARRIS, Chairman.

Senate Bill No. 536 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended:

Also: Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662a, relating to the registration of minors:

Also: Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax:

Also: Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees:

Also: Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained:

Also: Senate Bill No. 346—An act to add a new section to the Political Code to be numbered 1608c, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts:

Also: Senate Bill No. 353—An act to amend section 1552 of the Political Code, relating to traveling expenses of county superintendents:

Also: Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

HARRIS, Chairman.

Assembly Bills Nos. 975 and 362 ordered on file for second reading.

Senate Bill No. 442 ordered on file for second reading.

Assembly Bills Nos. 152 and 375 ordered on file for second reading.

Senate Bills Nos. 346 and 353 ordered on file for second reading.

Assembly Bill No. 359 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Senate Bill No. 719 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

HURLEY, Chairman.

HUGHES.

LEWIS.

WEST.

Assembly Bill No. 197 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 147—An act to authorize reclamation districts to refund outstanding bonded indebtedness:

Also: Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees:

Also: Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor:

Also: Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended:

Also: Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation:

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Senate Bills Nos. 147, 324, 714, 130 and 252 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 722—An act to add two new sections to the Penal Code, to be numbered 54c, and 54d, relating to crimes against the elective franchise—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

SLATER, Chairman.

Senate Bill No. 722 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 623d, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State:

Also: Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors;

Also: Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629a, relating to group insurance by life insurance companies and valuation of group insurance policies;

Also: Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies;

Also: Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also: Assembly Bill No. 1289—An act to amend section 429 of the Civil Code relating to fire and marine insurance corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

BURNETT, Chairman.

Assembly Bills Nos. 586, 592, 518, 519, 520 and 1289 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 502—An act to amend section 5 of an act entitled "An act to regulate the practice of pharmacy in the State of California," approved March 20, 1905, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; noes—2.

CROWLEY, Chairman.

Senate Bill No. 502 ordered on file for second reading.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Eden:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof, for the benefit of the public.

Request referred to Committee on Rules.

By Senator Johnson, A. B.:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 67b of the Code of Civil Procedure, relating to sessions of the superior court.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by amending section 28 of said act, and by repealing section 32½ of said act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 7 of the title of said act strike out the words "by amending section twenty-eight of said act", and insert in lieu thereof "by adding a new section to be known as section 26a relative to the qualification of directors."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "section twenty-eight", and insert in lieu thereof "a new section to be known as section 26a."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out the words "hereby amended", and insert in lieu thereof "is hereby added to said act."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of line 8, and all of lines 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, and insert in lieu thereof "Sec. 26a." "Sec. 26a. In any district which under any act of the legislature has adopted, or shall hereafter adopt a method of voting which provides that the qualification of a voter shall be different from that provided in this act, a director so elected must be a free holder of the irrigation district, and in case of election to represent a particular division, of that division, but need not be a resident of the district. Whenever the method of voting or qualification of electors shall again be changed to conform to the provisions of this act, thereafter the qualification of directors shall be that prescribed by section twenty-six of this act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 229.—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission: specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said

riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered.

AMENDMENT NUMBER ONE.

On page 3, line 43, of the printed bill, after the word "and", insert the word "prior".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 8, of the printed bill, following the period after the word "pending" add the following: "*and provided, further, that where riparian lands were under lease on the thirteenth day of June, 1913, for a continuous term of one year or more thereafter, under the terms of which lease no right was reserved to the lessor sufficient to permit him to put the waters claimed to a useful or beneficial purpose as hereinbefore provided, or sufficient to enable him to secure the putting of the waters claimed to a useful or beneficial purpose as hereinbefore provided, said period of ten consecutive years shall be exclusive of the period of time during which such lease is operative: provided, however, that nothing herein contained shall be construed as recognizing the right of any riparian proprietor to more water than is necessary for the economical, beneficial irrigation of his riparian lands which are susceptible of irrigation, and for domestic purposes and for watering stock.*"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the

duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out all of said line 1, and all the remainder of said bill, and insert in lieu thereof the following:

"SECTION 1. Section one of an act known as the 'water commission act' and entitled 'An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a state water commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the state water commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who

desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the state water commission, by the attorney general, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, is hereby amended to read as follows:

Section 1. For the purpose of carrying out the provisions of this act a state water commission consisting of five persons is hereby created and established. Two members of said commission shall be, ex officio, the governor of the state and the state engineer, respectively. Three members of said commission, one of whom shall be the executive member and the other two shall be associate members, shall be appointed by the governor for the term of four years; *provided, however*, that the members first appointed shall be appointed to hold office for the unexpired term of the members in office at the time this amendatory act takes effect. Such appointive commissioners shall be men of practical knowledge or experience in the application and use of waters for irrigation, mining and municipal purposes, and shall be so appointed that at least one thereof shall have had practical knowledge and experience in the use of water for agricultural purposes, and one thereof shall have had practical knowledge and experience in the use of water for mining purposes, and one thereof shall have had practical knowledge and experience in the use of water for municipal purposes. The executive member shall be president of the commission. The executive member of said commission shall receive as compensation for his services the sum of five thousand dollars per annum. Each of the associate members of said commission shall receive as compensation for his services fifteen dollars per day while actually engaged in the duties of his office. All members of the commission shall receive their actual and necessary traveling expenses. No commissioner who is directly or indirectly interested in any matter before the commission shall sit with the commission during the hearing of such matter; nor shall he be detailed by the commission to investigate or report on any such matter; nor shall he take part in any determination of any such matter. But the governor shall have the power and authority, upon request of the commission, to appoint pro tempore some disinterested person to sit and act in the place and stead of such interested commissioner. Such pro tempore commissioner shall have compensation for the time of service equal to the compensation of a commissioner during such service and shall have the power and authority of the same, only in the matter for the investigation and determination of which he shall have been appointed and his connection with the commission shall cease and determine upon the completion of the investigation and determination for which he was appointed. But the commission in whose place and stead he sits shall have power, compensation and authority in all other cases.

It shall be the duty of the executive member of said commission to consider and act upon all applications for permits to appropriate water under the provisions of the water commission act and to do all things required or proper relating to such applications and his acts and orders in such matters shall be deemed the acts and orders of said commission.

SEC. 2. Section six of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 6. The state water commission shall take, charge and collect the following fees: for copies and records not required to be certified or otherwise authenticated by the commission, twenty cents for each folio with a minimum fee in any case of one dollar; for certified copies of official documents and orders filed in its office, twenty-five cents for each folio, and one dollar for every certificate under seal affixed thereto; for certified copies of evidence and proceedings before the commission, twenty-five cents for each folio, and one dollar for every certificate under seal affixed thereto. The commission may fix reasonable charges for publications issued under its authority. All fees charged and collected under this section shall be paid, at least once each month, accompanied by a detailed statement thereof, into the treasury of the state.

SEC. 3. Section seven of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 7. For the purpose of carrying out the provisions of this act the state water commission is authorized to pass such necessary rules and regulations as it may from time to time deem advisable, and to appoint and remove at its pleasure a secretary or chief clerk who shall have charge of its books and records and ner-

form such other duties as from time to time may be prescribed and whose salary shall be fixed by the water commission; and the state water commission may also employ such expert, technical and chemical assistance, and upon such terms, as it may deem proper.

SEC. 4. Section sixteen of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 16. Every application for a permit to appropriate water shall set forth the name and postoffice address of the applicant, the source of water supply, the nature and amount of the proposed use, the location and description of the proposed headworks, ditch, canal and other works, the proposed place of diversion and the place where it is intended to use the water; the time within which it is proposed to begin construction, the time required for completion of the construction, and the time for the complete application of the water to the proposed use. If for agricultural purposes, the application shall, besides the above general requirements, give the legal subdivisions of the land and the acreage to be irrigated, as near as may be; if for power purposes, it shall give, besides the general requirements prescribed above, the nature of the works by means of which the power is to be developed, the head and amount of water to be utilized, and the use to which the power is to be applied. If for storage in a reservoir, it shall give, in addition to the general requirements prescribed above, the height of dam, the capacity of reservoir, and the use to be made of the impounded waters, except that for storage underground these additional requirements as to height of dam and capacity of reservoir shall be inapplicable; if for municipal water supply, it shall give, besides the general requirements specified above, the present population to be served, and, as near as may be, the future requirements of the city. If for mining purposes, it shall give, in addition to the general requirements prescribed above, the nature and location of the mines to be served and the methods of supplying and utilizing the water. All applications shall be accompanied by as many copies of such maps, drawings, and other data as may be prescribed or required by the state water commission, and such maps, drawings, and other data shall be considered as part of the application.

As soon as practicable after the receipt of an application for a permit to appropriate water the state water commission shall issue a notice of the application in such form as it may prescribe and shall send said notice to the applicant who shall forthwith cause same to be published at his own expense in some newspaper having a general circulation and published within the county wherein the point of diversion or a point of diversion lies, which newspaper shall be selected by the applicant subject to the approval of the state water commission and publication shall be made once a week for four consecutive weeks and proof thereof shall be filed by the applicant in the office of the said commission within thirty days after the last date of publication and shall be by copy of the notice as published attached to and made a part of the affidavit of the publisher or foreman of the newspaper publishing same, showing the publication thereof in accordance with law; *provided, however*, that notice of an application for three cubic feet per second or less or for two hundred acre feet of storage per annum or less need not be published in a newspaper; in case the state water commission finds that it is practicable to give sufficient notice otherwise and prescribes the manner of giving notice of the application, but said commission need not depart into the practicability of giving notice other than by publication in a newspaper and may require notice by publication in a newspaper in any case whatsoever.

Any person, firm, association, or corporation interested may within thirty days from the date of the last publication of said notice of application, or within sixty days from the date of issuance by the state water commission of said notice of application, in case notice is given otherwise than by publication in a newspaper, file with the state water commission a written protest against the granting of said application, which protest shall set forth with reasonable certainty the grounds of protest and shall be signed by the party protestant, his agent, or attorney.

At any time after notice of an application is given as above provided, if an applicant, permittee or licensee desires to change the point of diversion or place of use from the point of diversion or place of use specified in the application, permit or license, such change may be made only upon the permission of the state water commission; *provided*, that before granting such permission, such petitioner must establish to the satisfaction of the state water commission, and such commission must so find, that such change in the point of diversion, or place of use, will not operate to the injury of any other appropriator or legal user of such waters before permitting such change in the point of diversion or place of use. After filing a petition for permission to make such a change, the petitioner, in case the commission so requires, shall cause notice thereof to be given or published in such manner as may be prescribed by the commission and if at any time prior to the granting of such permission a protest is filed with the state water commission against allowance of the proposed change in point of diversion, or place of use, the state water commission shall, if in its discretion necessity therefor exists, fix a time and place for the hearing of said petition, and if the objections thereto, and upon such hearing the said commission

shall grant or refuse, as the facts shall warrant, such permission to change the point of diversion or place of use.

SEC. 5. Section seventeen of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 17. Any person, firm, association or corporation may apply for and secure from the state water commission, in conformity with this act and in conformity with reasonable rules and regulations adopted from time to time by the state water commission, a permit for any unappropriated water or for water which having been appropriated or used flows back into a stream, lake or other body of water within this state. And any application so made shall give to the applicant a priority of right as of the date of said application to such water or the use thereof until such application shall have been approved or rejected by said commission: *provided*, that such priority shall continue only so long as the provisions of law and the rules and regulations of the water commission shall be followed by the applicant. Upon the approval of any application by the commission, said approval shall give priority of right as of the date of said application, and shall give the right to take and use the amount of water specified in said approval until the issuance by the state water commission of a license for the use of said amount of water, or until the said commission refuses to issue said license. But the approval of any application shall give the right to take and use water only to the extent and for the purpose allowed in said approval: *provided*, that any defective application made in a bona fide attempt to conform to the rules and regulations of the state water commission and to the law shall secure to the applicant a priority of right as of the date of said application until he shall have been notified by said commission in what respect his application is defective. And said applicant shall be allowed sixty days after notice of said defect in which to file an amended and perfected application. If, within said sixty days, said applicant shall not file an amended and perfected application, said priority of right shall cease and determine, unless for good cause shown the state water commission shall allow said applicant to file a further amended and perfected application: *provided, also*, that any priority of right secured under this section shall not be effective for more than thirty days after service of notice of such approval, personally or by registered mail, on the applicant, unless within said period of thirty days the fees due upon issuance of said approval or permit as provided in this act are paid to the state water commission, and unless said payment of fees shall have been made within said time the state water commission shall forthwith revoke said approval or permit and reject said application.

SEC. 6. Section eighteen of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 18. Actual construction work upon any project shall begin within such time after the date of the approval of the application as shall be specified in said approval, which time shall not be less than sixty days from date of said approval, and the construction of the work thereafter and the utilization of water for beneficial purposes shall be prosecuted with due diligence in accordance with this act, the terms of the approved application, and the rules and regulations of said commission: and said work shall be completed and the water applied to beneficial use in accordance with law, the rules and regulations of the state water commission, and the terms of the approved application and within a period specified in the permit: but the period specified in the permit for beginning construction work or the period specified in the permit for completion of construction work or the period specified in the permit for application of the water to beneficial use or any or all of these periods may, for good cause shown, be extended by the state water commission. And if such work be not so commenced, prosecuted and completed, or the water applied to beneficial use as contemplated in the permit, the water commission shall, after notice in writing and mailed in a sealed, postage-prepaid and registered letter addressed to the applicant at the address given in his application for a permit to appropriate water, and a hearing before the commission, revoke its approval of the application. But any applicant, the approval of whose application shall have been thus revoked, shall have the right to bring an action in the superior court of the county in which is situated the point of proposed diversion of the water for a review of the order of the commission revoking said approval of the application. And thirty days after the revocation of said permit all rights of the said permittee under said permit shall cease and lapse, unless said permittee shall within said thirty days after said revocation bring an action in the superior court for a review of the order of revocation. The priority of right of any permittee so bringing an action shall continue under said permit until a final judgment is rendered as to the reasonableness of the revocation of said permit. But until and unless the revocation of the permit shall be finally decreed by such court, the permittee shall not take or use any of the water the right to take and use which is granted by said permit.

SEC. 7. Section nineteen of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 19. Immediately upon completion, in accordance with law, the rules and regulations of the state water commission, and the terms of the permit, of the project

years, such unused water shall revert to the public and shall be regarded as unappropriated public water; and whenever it appears to the state water commission that non user has resulted in a partial or total loss of water right under a license issued by said commission, the state water commission may after investigation and hearing either, if it be found that there has been a total loss of the water right, revoke said license or, if it be found that there has been but a partial loss of the water right, enter an order amending said license by reducing the specified amount of use to conformity to the amount of use not forfeited by non user as herein provided. But any user whose license shall have been thus revoked or amended shall have the right to bring an action in the superior court in and for the county wherein the point of diversion or a point of diversion lies for a review of the order revoking or amending said license; *provided*, said action be brought within thirty days after service of notice, personally or by registered mail, of said order of revocation or amendment. Said court shall review all correspondence, maps, data and other records on file with the water commission which pertain to the investigation or hearing herein provided for or to said order of revocation or amendment, and shall take such additional evidence as it may require or as may be submitted by parties in interest or the state water commission, and shall then render judgment affirming, reversing or modifying the action taken by said commission.

SEC. 9. Section thirty-four of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 34. Should any claimant desire to contest any of the statements and proofs of claims filed with the state water commission by any other claimant to the waters of the stream system, he shall, within fifteen days after the last date of public inspection of evidence as provided for in section thirty-three, or within such further time as for good cause shown may be allowed by the state water commission upon application made prior to the expiration of said fifteen (15) days, in writing, notify the state water commission, stating with reasonable certainty the grounds of the proposed contest, which statement shall be verified by the affidavit of the contestant, his agent or attorney. The statements or proofs of the person whose rights are contested and the verified statement of the contestant shall be deemed sufficient to constitute a proper cause for such contest.

SEC. 10. Section thirty-five of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 35. As soon as practicable after the receipt of the notice of contest the state water commission shall notify by registered mail the contestant and the claimant whose rights are contested to appear before it at a time and place specified in said notice, and that at said time and place said contest will be heard; *provided*, that said time shall not be less than fifteen (15) days nor more than sixty (60) days from the date of the mailing of the notice by the commission. The state water commission shall have power to adjourn hearings of contests from time to time upon reasonable notice to all parties in interest, and to issue subpoenas for and compel the attendance of witnesses to testify before it and to produce papers, books, maps, and other documents. The costs of taking testimony at a hearing shall be borne by the parties thereto as follows: each party shall pay for the direct examination of his own witness and the cross-examination of opponent's witness and shall share equally for that part of the examination directed by the representative of the commission. One copy of the transcript of testimony taken at the hearing shall be furnished to the commission and the cost thereof borne equally by the parties.

SEC. 11. Section thirty-six of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 36. As soon as practicable after the hearing of contests, it shall be the duty of the state water commission to make, and cause to be entered of record in its office, an order determining and establishing the several rights by appropriation of the waters of said stream; *provided, however*, that within sixty (60) days after a copy of such order of determination has been mailed to the various interested parties as hereinafter provided in this section, the state water commission may, for good cause shown, reopen the proceedings and grant a rehearing. Such order and determination shall be prepared, and after certification by the State water commission, printed in the state printing office. A copy of said order of determination shall be sent by registered mail to each person who has filed proof of claim, and to each person who has become interested through intervention or as a contestant under the provisions of section eight or section eleven of this act.

SEC. 12. Section thirty-six a of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 36a. As soon as practicable, after the entry of the order of determination, a certified copy thereof, together with the original evidence and transcript of testimony filed with, or taken before the state water commission, as aforesaid, duly certified by it, shall be filed with the clerk of the superior court of the county in which said stream system is situated, or if in more than one county, then with the clerk of the superior court of the county wherein reside the largest number of parties in interest. Upon the filing of the certified copy of said order, evidence, and transcript with the clerk of the court in which the proceedings are to be had, the state water commission shall procure an order from said court setting a time for hearing. The

clerk of such court shall immediately furnish the state water commission with a certified copy of said order. It shall be the duty of the state water commission immediately thereupon to mail a copy of such certified order of the court, by registered mail, addressed to each known party in interest at his last known place of residence, and to cause the same to be published at least once a week for four consecutive weeks in some newspaper of general circulation published in each county in which such stream system or any part thereof is located, and the state water commission shall file with the clerk of the court proof of such service by registered mail and by publication. Such service by registered mail and by publication shall be deemed full and sufficient notice to all parties in interest of the date and purpose of such hearing.

SEC. 13. Section thirty-six *c* of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

SEC. 36c. For further information on any subject in controversy, the court may employ one or more qualified persons to investigate and report thereon under oath, subject to examination by any party in interest as to his competency to give expert testimony thereon. The court may take additional evidence on any issue and may, if necessary, refer the case for such further evidence to be taken by the state water commission as it may direct, and may require a further determination by it. After the hearing, the court shall enter a decree determining the right of all persons involved in such proceeding. Said decree shall in every case declare as to the water right by appropriation adjudged to each party, the priority, the maximum quantity of water allowed, the purpose of use, the period during which said right may be exercised, the point of diversion, the name of the ditch or conduit through which said water may be diverted, the place of use of said water, and shall declare as to any other matter necessary to definitely describe, locate and determine the water right adjudged; and as to water used for irrigation, such decree shall also declare the specific tracts of land to which it shall be appurtenant, together with such other conditions as may be necessary to define the right and its priority. Upon the hearing the court may assess and adjudge against any party such costs as it may deem just. Appeals from such decree may be taken to the supreme court by the state water commission or any party in interest, in the same manner and with the same effect as in civil cases.

SEC. 14. Section thirty-six *d* of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

SEC. 36d. A certified copy of the decree of the superior court shall be prepared by the clerk thereof, without charge, and filed for record in the office of the county recorder of each county in which any part of the stream system is situated and also in the office of the state water commission. It shall be the duty of the state water commission to issue to each claimant represented in such determination a certificate to be signed by the executive member of the state water commission, and attested under seal by the secretary or chief clerk of said commission, setting forth the name and post-office address of the owner of the right; the priority, the maximum quantity of water allowed, the purpose of use, the period during which said right may be exercised, the point of diversion, the name of the ditch or conduit through which said water may be diverted, the place of use of said water, and any other matter necessary to definitely describe, locate and determine the water right adjudged; and, if such water be for irrigation purposes, a description of the legal subdivisions of land to which said water is appurtenant; *provided, however*, that such certificate shall not be issued to any claimant until all fees and assessments to be collected from such claimant under the provisions of section 32 of this act, shall have been paid by such claimant.

SEC. 15. Section thirty-seven of said act, approved June 16, 1913, as amended, is hereby amended to read as follows:

SEC. 37. The state water commission shall have authority to make and enforce reasonable regulations to secure the distribution of water in accordance with the terms and conditions of permits and licenses issued by it and to supervise the distribution of water under such permits and licenses and regulations and in accordance with the priorities established under this act; *provided, however*, that nothing herein contained shall be construed to contravene the authority vested in the judiciary of this state.

The state water commission shall divide the state into water districts to be so constituted and adjusted as to insure the most practical and economical supervision of the distribution of water on the part of the State, and shall have authority to make such reasonable regulations to secure distribution of water in accordance with the determined rights as may be needed. Said water districts shall be created from time to time as the claims to water shall be determined by adjudication of court either under the procedure provided for in the water commission act, or otherwise, and thereafter changed from time to time as convenience of administration may require.

SEC. 16. Section thirty-seven *c* of said act approved June 16, 1913, as amended, is hereby amended to read as follows:

SEC. 37c. The owner of any conduit subject to regulation by a water master as provided by section thirty-seven *a* of this act shall construct and maintain to the satisfaction of the state water commission a substantial and serviceable headgate

or diversion works, at or near the point where the water is diverted, which shall be of such construction that it can be locked and kept closed by the water masters and such owners shall construct and maintain, when required by the state water commission, suitable measuring devices at such points along such ditch as may be necessary for the purpose of assisting the water master in determining the amount of water that is to be diverted into said conduit from the stream. Any and every owner or manager of a reservoir located across or upon the bed of a natural stream or of a reservoir which requires the use of a natural stream channel, subject to regulation by a water master as provided by section thirty-seven *a* of this act shall construct and maintain, when required by the state water commission, a measuring device of a plan to be approved by the state water commission, below such reservoir, and, also, shall construct and maintain, when required to do so by the state water commission, a measuring device of a plan to be approved by said commission, above such reservoir on each or every stream or source of supply discharging into such reservoir, for the purpose of assisting the state water commission or water master in determining the amount of water to which appropriators are entitled and thereafter diverting it for such appropriator's use. If any such owner or owners of water works shall refuse or neglect to construct and put in such headgate or measuring devices after thirty days notice, the water master may close such ditch, and the same shall not be opened or any water diverted from the source of supply, under the penalties prescribed by law for the opening of headgates lawfully closed until the requirements of the state water commission as to such headgates or measuring device have been complied with, and if any owner or manager of a reservoir located across the bed of a natural stream, or of a reservoir which requires the use of a natural stream channel, shall neglect or refuse to put in such measuring devices after thirty days notice by the state water commission, the water master may open the sluice gate or outlet of such reservoir and the same shall not be closed, except by order of the state water commission, under the penalties of the law for changing or interfering with headgates, until the requirements of the state water commission as to such measuring devices are complied with."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 718--An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 655--An act to amend section 10 of an act entitled "Improvement Act of 1911."

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the title of the printed bill, strike out the whole hereof and insert in lieu thereof the following:

"An act to amend section ten of an act entitled "Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911, as amended."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 and 2, of the printed bill, strike out the whole thereof and insert in lieu thereof the following:

"SECTION 1. Section ten of an act entitled "Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and

changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911, as amended, is hereby amended to read as follows:

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, after the word "may" insert the following: "elect to do the work as hereinafter provided or".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 26 to 47, inclusive, and insert in lieu thereof the following:

"If the bids are rejected, after such rejection, or if no bids are received, the city council may declare and determine that in its opinion the work in question may be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market, and after the adoption of a resolution to this effect may proceed to have the same done in the manner stated without further observations of the foregoing provisions of this section, and without executing any bond whatsoever, or advancing any incidental expenses. The city council where election has been made that the city perform the work, shall provide from the general funds of the city all necessary funds for the doing of the work. In case such election has been made, all other provisions of this act shall apply with equal force and effect, and wherever herein reference shall be made to the contractor, such reference shall apply to the city. If the city council shall have determined that serial bonds shall be issued as provided in part three, such bonds may be issued and received by the city to represent the assessments as therein provided, and the city may at any time thereafter sell such bonds, or any portion thereof, at not less than the market value thereof."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Eden to introduce a bill entitled "An act relating to the assessment of real or personal property used by the State of California, or political subdivisions

thereof, for the benefit of the public has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Eden: Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof, for the benefit of the public.

Senate Bill No. 727 referred to Committee on Judiciary.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Lewis to introduce a bill entitled—An act to amend section 1094 of the Political Code, relating to registration of electors—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Lewis: Senate Bill No. 726—An act to amend section 1094 of the Political Code, relating to registration of electors.

Senate Bill No. 726 referred to Committee on Elections.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 707 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hughes, Johnson, M. B., Lewis, Murphy, Powers, Sample, Sharkey, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

On motion of Senator Sample, Senate Bill No. 377 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

In the absence of the author, Senate Bill No. 417 was passed on file.

Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

On motion of Senator Carr, Senate Bill No. 701 was passed on file.

Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code.

On motion of Senator Sample, Senate Bill No. 113 was passed on file.

Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204a, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors.

On motion of Senator Carr, Senate Bill No. 198 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

On motion of Senator Carr, Senate Bill No. 287 was passed on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court; providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking evidence; providing also other incidental powers and duties of the court.

On motion of Senator Huey, Senate Constitutional Amendment No. 10 was re-referred to Committee on Constitutional Amendments.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator West moved to refer Senate Bill No. 714 to Senator Arbuckle, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the words "twenty-five cents" and insert in lieu thereof the words "no fee".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 714, with instructions to amend, respectfully reports the same back, amended as per instructions.

ARBUCKLE, Special Committee.

Report read, and on motion of Senator West, adopted.

Bill ordered to print, and re-engrossment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 40—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, 4236n, 4236o, 4236p inclusive of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the

compensation of said officers and said assistants, deputies, and other employees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 13 of the title of the printed bill, after the word "Code," insert the following: "and to add a new section to said code to be numbered four thousand two hundred thirty-six."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, after the word "thousand" strike out the word "four" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, after the word "deputies" strike out the word "one" and insert in lieu thereof the word "two."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, after the word "thousand" strike out the word "eight" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill, after the semicolon after the word "annum" insert the following: "provided, that whenever the number of judges of the superior court shall be increased, there shall be and there is hereby allowed to the county clerk, by reason of such increase, one additional deputy, for each judge so appointed or elected, at a salary of one thousand eight hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 6, of the printed bill, after the word "thousand" strike out the word "two" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 6, of the printed bill, after the word "hundred" strike out the word "city".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 10, of the printed bill, after the word "thousand" strike out the word "and" and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 10, of the printed bill, after the word "hundred" insert the word "twenty".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, lines 10 and 11, of the printed bill, after the semicolon after the word "annum" strike out the words "two criminal" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 12, of the printed bill, after the semicolon after the word "each" strike out all the rest of the line and all of lines 13, 14, 15, 16 and 17 up to the semicolon before the word "one".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 20, of the printed bill, after the word "thousand" strike out the word "six" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWELVE AND ONE-HALF.

On page 3, line 20, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 22, of the printed bill, after the word "month" insert a semicolon and the following: "*provided*, that whenever the number of judges of the superior court shall be increased, there shall be and there is hereby allowed to the sheriff, by reason of such increase, one additional deputy, for each judge so appointed or elected, at a salary of one thousand eight hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 40, of the printed bill, after the word "thousand" strike out the word "two" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 41, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 14, of the printed bill, after the word "thousand" strike out the word "two" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 15, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 26, of the printed bill, at the beginning of the line strike out the word "six" and insert in lieu thereof the word "twelve".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 42, of the printed bill, after the word "thousand" strike out the word "two" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, line 42, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 43, of the printed bill, after the word "of" strike out the word "one" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 44, of the printed bill, after the word "thousand" strike out the word "nine" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 44, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 45, of the printed bill, after the word "thousand" strike out the word "six" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 45, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 14, of the printed bill, after the word "thousand" strike out the word "two" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 14, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 15, of the printed bill, after the word "of" strike out the word "one" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 15, of the printed bill, after the word "thousand" strike out the word "eight" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 5, line 16, of the printed bill, after the word "of" strike out the word "one" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 5, line 16, of the printed bill, after the word "thousand" strike out the word "eight" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 5, line 18, of the printed bill, after the word "thousand" strike out the word "five" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 5, line 22, of the printed bill, after the word "hundred" strike out the words "twenty-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 25, of the printed bill, after the word "hundred" strike out the word "ten" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 28, of the printed bill, after the word "hundred" strike out the words "twenty-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 11, of the printed bill, after the word "thousand" strike out the word "two" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 11, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 12, of the printed bill, after the word "of" strike out the word "one" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 12, of the printed bill, after the word "thousand" strike out the word "nine" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 6, line 13, of the printed bill, strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 6, line 15, of the printed bill, after the word "thousand" strike out the word "six" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 6, line 15, of the printed bill, after the word "hundred" strike out the word "eighty".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 6, line 20, of the printed bill, after the word "of" strike out the word "five" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 6, line 22, of the printed bill, after the word "of" strike out the word "seven" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 8, line 4, of the printed bill, after the word "thousand" strike out the word "three" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 8, line 4, of the printed bill, after the word "hundred" strike out the word "twenty" and insert in lieu thereof the word "forty".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 8, line 29, of the printed bill, after the word "of" strike out the word "one" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 8, line 29, of the printed bill, after the word "thousand" strike out the word "eight" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 9, line 5, of the printed bill, after the semicolon after the word "field" strike out the words "provided, that" and all of lines 6, 7, 8, 9, 10 and 11.

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 9, line 16, of the printed bill, after the word "population" insert a comma, and strike out all of lines 17, 18 and 19 up to and including the word "population", and insert in lieu thereof the following: "said population to be determined by the board of supervisors".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 9, line 21, of the printed bill, after the word "determination" following the comma, strike out the word "then".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 9, at the end of line 21, of the printed bill, add the words "so taken".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 9, line 33, of the printed bill, after the word "exceed" strike out the word "seven" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 9, line 48, of the printed bill, after the word "hundred" strike out the words "twenty-five" and insert in lieu thereof the word "sixty".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 11, line 7, of the printed bill, after the word "be" strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 11, line 7, of the printed bill, after the word "thousand" strike out the words "two hundred eighty".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 11 of the printed bill, after line 8 add a new section to read as follows:

"SEC. 17. A new section is hereby added to the Political Code to be numbered 4236*g* and to read as follows:

4236*g*. In counties of the seventh class the salary of the county traffic officer shall be one thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer two deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall receive a salary of one thousand eight hundred dollars per annum each, which shall be paid by said county in equal monthly installments, at the same time, and in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said traffic officer and his deputies shall be provided by the county with motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same and shall pay all the expense of the upkeep of said machines. They shall be allowed their actual and necessary expenses incurred in the performance of their official duties. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect", approved June 16, 1913, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, between lines 50 and 51, insert the following:

"In counties of the fifth class the sealer shall receive as compensation the sum of two thousand four hundred dollars per annum, payable in the same manner and at the same time as the salaries of other county officers are paid."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled, "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by munici-

palities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, strike out the word "warrant".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, line 37, of the printed bill, after the word "provided" strike out the period and insert in lieu thereof a comma and the following: "and also including a percentage of one-fourth of one per cent of the amount of such installments and of such interest so entered. Such percentages when collected shall belong to the city or county and shall cover the expenses and compensation of the city or county treasurer incurred in the collection of such assessments, and of the interest and penalties thereon. No other percentage shall be claimed for any such collections. In the event that such collections are made by the county officials the county auditor shall at the close of the tax collecting season promptly render to the city auditor a detailed report showing the amounts of such installments, interest, penalties and percentages so collected on each proceeding and from what property collected, and also giving a statement of the percentages retained for the expenses of making such collections."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the bracket and the words "or appoint" and the dash, and on page 2, line 15, of the printed bill, strike out the word "ment" and the comma and bracket following.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties; providing for the government of such districts; designating the officers thereof and prescribing their powers and duties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18b thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 52 thereof.

COMMITTEE AMENDMENTS

During the second reading of the bill the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 2, line 35, of the printed bill, strike out the words "and" and insert in their stead the words "and";

Amendment adopted.

AMENDMENT NUMBER TWO

On page 1, line 12, of the printed bill, strike out the words "and other conditions of membership" and insert in their stead "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER THREE

On page 2, line 5, of the printed bill, strike out the words "and other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 1, line 14, of the printed bill, strike out the words "or other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER FIVE

On page 2, line 35, of the printed bill, strike out the words "and other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER SIX

On page 2, line 35, of the printed bill, strike out the words "or other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER SEVEN

On page 1, line 12, of the printed bill, strike out the words "or other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER EIGHT

On page 2, line 12, of the printed bill, strike out the words "or other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER NINE

On page 1, line 12, of the printed bill, strike out the words "and other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER TEN

On page 2, line 35, of the printed bill, strike out the words "or other conditions of membership" and in their stead insert the words "or other conditions of membership";

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, lines 40 and 41, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 48, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 1, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, lines 14 and 15, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, lines 24 and 25, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, lines 31 and 32, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 35, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, lines 39 and 40, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 47, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, lines 49 and 50, of the printed bill, strike out the words "and other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

Amendment adopted.

The roll was called, and Assembly Bill No. 338 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canapa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Sample, Slater, Seung, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

Assembly Bill No. 891 passed on file.

Assembly Bill No. 879—An act to refer to its provisions as the general dairy law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 7 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 879 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canapa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Seung, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 100—An act to amend section 1810*c* of the Code of Civil Procedure, relating to the compromise of claims of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 100 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Powers, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 101—An act to amend section 1810*b* of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 101 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Canepa, Carr, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Johnson, M. B., Jones, Lyon, McDonald, Murphy, Powers, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Assembly Bill No. 1086 passed on file.

Assembly Concurrent Resolution No. 19—Relative to the amendment of the joint rules.

Assembly Concurrent Resolution No. 19 passed on file.

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Assembly Bill No. 1090 passed on file.

Assembly Bill No. 1091—An act to amend section 3*a* and section 3 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances.

Assembly Bill No. 1091 passed on file.

Assembly Bill No. 838—An act to amend section 2319*i* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock.
 Assembly Bill No. 838 passed on file.

Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480 $\frac{1}{2}$, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 610 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Powers, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 181 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Crowley, Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Powers, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 256—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 256 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Inman,

JOHNSON, A. B., JOHNSON, M. B., JONES, LEWIS, LYON, McDONALD, MURPHY, SAMPLE, SHORKEY, SLATER, SWANSON and WEST—29.
 YEAS—None.
 NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 429 passed by the following vote:

YEAS—SANDERS, ALLEN, ARNOLD, BATES, BRAD, CHAPMAN, CARR, CROUGHTON, CROWLEY, EDEN, GIBBS, DE GIBBS, E. J., GOSSEL, HANCOCK, HARRIS, HAZEN, HURLEY, JOHNSON, A. B., JOHNSON, M. B., JONES, LEWIS, LYON, McDONALD, MURPHY, POWERS, SAMPLE, SHORKEY, SLATER, SWANSON and WEST—30.
 YEAS—None.
 NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1036 passed by the following vote:

YEAS—SANDERS, ALLEN, ARNOLD, BATES, BRAD, CHAPMAN, CARR, CROUGHTON, CROWLEY, EDEN, GIBBS, DE GIBBS, E. J., GOSSEL, HANCOCK, HARRIS, HAZEN, HURLEY, JOHNSON, A. B., JOHNSON, M. B., JONES, LEWIS, LYON, McDONALD, MURPHY, POWERS, SAMPLE, SHORKEY, SLATER, SWANSON and WEST—27.
 YEAS—None.
 NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1037 passed by the following vote:

YEAS—SANDERS, ALLEN, ARNOLD, BATES, BRAD, CHAPMAN, CARR, CROUGHTON, CROWLEY, EDEN, GIBBS, DE GIBBS, E. J., GOSSEL, HANCOCK, HARRIS, HAZEN, HURLEY, JOHNSON, A. B., JOHNSON, M. B., JONES, LEWIS, LYON, MURPHY, POWERS, SAMPLE, SHORKEY, SLATER, SWANSON and WEST—22.
 YEAS—None.
 NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1075 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192a, relating to commitment of imbeciles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1276 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School, and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, by adding a new section to be numbered 22a, relating to maintenance of public schools in detention homes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 865 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Johnson, M. B., McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 884 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Johnson, M. B., McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work.

Assembly Bill No. 939 passed on file.

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

Assembly Bill No. 941 passed on file.

Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code.

Assembly Bill No. 942 passed on file.

Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

Assembly Bill No. 943 passed on file.

Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211a, regarding the definition of robbery and the degrees thereof.

Assembly Bill No. 944 passed on file.

Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery.

Assembly Bill No. 945 passed on file.

Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny.

Assembly Bill No. 946 passed on file.

Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape.

Assembly Bill No. 947 passed on file.

Assembly Bill No. 1033—An act to amend section 19x42 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and thirty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1033 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 288 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sharkey, Slater, Swing, and West—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 684—An act to amend an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee

District No. 1 of Sutter County," approved March 20, 1874, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 684 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1139—An act to add a new section to the Political Code, to be numbered 3480½, authorizing the governing boards of reclamation districts to hire a clerk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1139 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810d, relating to estates of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 291 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hughes, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 697 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

Assembly Bill No. 1224 passed on file.

Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 123 passed by the following vote:

AYES—Senators, Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

Assembly Bill No. 124 passed on file.

Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to peace officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 143 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146a, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes.

Assembly Bill No. 160 passed on file.

Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals.

Assembly Bill No. 218 passed on file.

Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 276 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Senator Crowley, the President pro tempore declared the Senate adjourned until Monday, April 23, at eleven o'clock, a.m.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Monday, April 23, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 20, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Burnett was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Dennett was, on motion of Senator Harris, granted leave of absence for this day.

Senator Gray was, on motion of Senator Godsil, granted leave of absence for this day.

Senator Osborne was, on motion of Senator Jones, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Walter Alvarez of San Francisco, D. W. Trowbridge, M.D., and Clinton Collins, M.D., of Fresno, and Dr. Dudley Smith of Oakland.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to D. W. Mott and W. D. Hersey of Santa Paula.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 879—An act to refer to its provisions as the general dairy law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED SEVENTY-NINE.

Senator Boggs asked for and was granted unanimous consent to take up Assembly Bill No. 879.

SENATE REFUSES TO RECEDE.

The question being, "Shall the Senate recede from Senate amendments to Assembly Bill No. 879?"

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 879 by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, Swing, and West—31.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Slater, Powers and Handy as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 879.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734c, relating to the change of boundaries of high school districts—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

Senator Handy asked for and was granted unanimous consent to take up Senate Bill No. 427 for the consideration of Assembly amendment.

Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734*c*, relating to the change of boundaries of high school districts.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED TWENTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "five".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 427?"

The roll was called, and Assembly amendment to Senate Bill No. 427 was concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Eden, Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B. Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Sample, Slater, Swing, and West—26.

NOES—None.

Senate Bill No. 427 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 432. An act to amend sections 2, 3, 9, 11*a*, 12, 19, 20*a* and 20*b* of, and to add a new section to be numbered 9*a* to, an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended" and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

Senator Gates, E. J., asked for and was granted unanimous consent to take up Senate Bill No. 432 for the consideration of Assembly amendments.

Senate Bill No. 432—An act to amend sections 2, 3, 9, 11*a*, 12, 19, 20*a* and 20*b* of, and to add a new section to be numbered 9*a* to, an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-TWO.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the word "nine".

AMENDMENT NUMBER TWO.

Strike out all of page 3 of the printed bill after line 20, and all of pages 4, 5, 6 and 7, and in lieu thereof insert the following:

"Sec. 3. Section nine of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

Sec. 9. Application for license as real estate broker shall be made in writing to the real estate commissioner, which application shall be accompanied by the recommendation of two real estate owners of the county in which such applicant resides or has his place of business, certifying that the applicant is honest, truthful and of good reputation, and recommending that a license be granted the applicant. If the applicant shall have resided, or shall have engaged in business for less than one year in the county from which the application is made, the same shall also be accompanied by the recommendation of two real estate owners of each of the counties where he has formerly resided or engaged in business during said period of one year prior to the filing of said application, certifying that the applicant is honest, truthful and of good reputation and recommending that a license be granted the applicant. Where the applicant for a real estate broker's license maintains more than one place of business within the state he shall be required to apply for and procure a duplicate license for each branch office so maintained by him. Such duplicate license shall be issued without additional charge. Every such application shall state the name of the person, copartnership or corporation, and the location of the place or places of business for which such license is desired.

Application for license as real estate salesman shall be made in writing to the real estate commissioner, signed by the applicant, setting forth the period of time during which he has been engaged in the business, stating the name of his last employer and the name and place of business of the person, copartnership or corporation then employing him, or in whose employ he is to enter. The application shall be accompanied by the recommendation of his employer, if employed, certifying that the applicant is honest, truthful and of good reputation, and recommending that the license be granted to the applicant.

The real estate commissioner may require such other proof as he may deem advisable of the honesty, truthfulness and good reputation of any applicant for a license, or of the officers of any corporation, or of the members of any copartnership making such application before authorizing the issuance of a license. In addition to proof of honesty, truthfulness and good reputation, the real estate commissioner may also require proof that the applicant has a fair knowledge of the English language, including reading, writing, spelling, elementary arithmetic, a fair understanding of the rudimentary principles of real estate conveyancing, the general purposes and general legal effect of deeds, mortgages, land contracts of sale, and leases, and a general and fair understanding of the obligations between principal and agent as well as of the provisions of the California real estate act.

SEC. 4. A new section is hereby added to said act approved May 27, 1919, as amended, to be numbered nine *a* and to read as follows:

SEC. 9*a*. All applicants for broker's license shall, in addition to such recommendations, file with the said real estate commissioner a satisfactory bond to the people of the State of California, duly executed by a sufficient surety, or sureties, to be approved by said commissioner, in the amount of two thousand dollars conditioned for the faithful performance by such broker of any undertaking as a licensed real estate broker under this act. Any person injured by the failure of a real estate broker to perform his duties, or comply with the provisions of this act, shall have the right in his own name to commence such an action against said real estate broker and his sureties for the recovery of any damage sustained by the failure or omission of said real estate broker to perform his duties or either of them, or to comply with the provisions of this act or any of them. It shall be the duty of the real estate commissioner to see that such bond remains and is kept good.

SEC. 5. Section eleven *a* of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

SEC. 11*a*. Each individual, firm or corporation licensed as a broker under the provisions of this act shall erect and maintain a sign in a conspicuous place on the premises to indicate that he or it is a licensed real estate broker and the name of said individual, firm or corporation shall be clearly shown thereon. The size of such sign shall conform to regulations that may be adopted by the real estate commissioner.

SEC. 6. Section twelve of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

SEC. 12. The real estate commissioner may upon his own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any person, copartnership or corporation engaged in the business or acting in the capacity of a real estate broker, or a real estate salesman, within this state, and shall have the power to temporarily suspend or permanently revoke licenses issued under the provisions of this act, at any time where the holder thereof in performing, or attempting to perform any of the acts mentioned herein is guilty of—

- (1) Making any substantial misrepresentation, or
- (2) Making any false promises of a character likely to influence, persuade or induce, or

(3) A continued and flagrant course of misrepresentation or making of false promises through agents or salesmen, or

(4) Acting for more than one party in a transaction without the knowledge or consent of all parties thereto, or

(5) Any other conduct, whether of the same or a different character than hereinabove specified, which constitutes dishonest dealing.

Before denying, suspending or revoking any license the said commissioner shall notify, in writing, the applicant or holder of such license of the charges against him and afford an opportunity to be heard in person or by counsel in reference thereto. The decision of the said commissioner in denying, suspending or revoking any license under this act shall be subject to review in accordance with the provisions of chapter one of title one of part three of the Code of Civil Procedure; and any party aggrieved by such decision of the commissioner may within ten days from the date of said decision appeal therefrom to the superior court of the State of California, in and for the county in which the person affected by such decision resides or has his place of business under the terms of this act, by serving upon the commissioner a notice of such appeal and a demand in writing for a certified transcript of all the papers on file in his office affecting or relating to such decision and all the evidence taken on the hearing and paying ten cents for each folio of the transcript and one dollar for the certification thereof. Thereupon the commissioner shall, within thirty days, make and certify such transcript, and the appellant shall, within five days after receiving the same, file the same and the notice of appeal with the clerk of said court. Upon the hearing of such appeal, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner from which the appeal is taken, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such decision. In suspending or revoking any license the decision of the commissioner shall not take effect until ten days after its date. In the event of said appeal from said decision to the superior court of the State of California, the decision of the commissioner shall remain in effect pending the determination of such appeal, unless the party appealing and aggrieved by such decision of the commissioner shall file with the judge of the superior court a bond in a sum to be fixed by said court, which bond shall be in favor of the people of the State of California and be conditioned upon the faithful performance of all the obligations of such appellant or aggrieved person as a real estate broker. Said bond shall be for the benefit of any person having real estate dealings with such appellant or aggrieved person, and any such person so dealing with the same shall have the right to commence a suit thereon in his own name against said broker and his sureties.

SEC. 7. Section nineteen of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

Sec. 19. For a violation of any of the provisions of sections eleven, eleven *a*, fourteen and eighteen of this act the real estate commissioner may temporarily suspend or permanently revoke the license of such holder in accordance with the proceedings set forth in section twelve of this act.

Sec. 8. Section twenty *a* of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

Sec. 20*a*. The state real estate commissioner, upon his own initiative may investigate, or upon written application of the owner of any agricultural lands being offered for sale, or proposed to be offered for sale, for colonization purposes or for farm acreage subdivision or for rural settlement, shall investigate said colonization or farm acreage subdivision or rural settlement, enterprise and shall make a public report thereon, and, in his discretion, shall issue a certificate of approval thereof. The application of the owner shall contain such information as shall be required by the commissioner; and, from time to time after the issuance of said certificate, the owner shall furnish to the commissioner any other information concerning the project which the commissioner may require. The certificate of approval may be qualified or unqualified and shall be revocable at any time and its terms may be changed from time to time. Among other things which said commissioner may deem appropriate the certificate shall state the name and location of the project; the names of the owner and sales agents; whether or not the project in whole or in part is irrigable or depends upon irrigation; the source or sources of water and the nature and condition of water rights; the total area of the project and the unit size of parcels for sale; the proposed average selling price per acre; the terms of sale; the amount of any outstanding liens or bonded debts which affect the project; the proven and the probable adaptabilities of the soil of the projects, and the character of the soils thereof; available transportation facilities, and roads and community improvements; drainage conditions and systems; the condition of title to the lands of the project; and the methods of sale being used or proposed to be used in effecting the sale thereof. The public report of said commissioner on any project shall contain as nearly as possible all the information required to be inserted in said certificate of approval. The real estate commissioner shall be empowered to prepare a questionnaire and to employ such expert and technical assistants as may be necessary to a proper examination of the projects submitted, the cost of such exam-

inations to be borne by the applicants on the basis of actual cost to the department.

Sec. 9. Section twenty *b* of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

Sec. 20*b*. Every officer, agent or employee of any company and every other person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circularization of any false written statement or representation concerning any land or subdivision thereof offered for sale, and every person who, with knowledge that any advertisement, pamphlet, prospectus or letter concerning any said land or subdivision contains any written statement that is false or fraudulent, issues, circulates, publishes or distributes the same, or shall cause the same to be issued, circulated, published or distributed, or who, in any other respect, wilfully violates or fails to comply with any of the provisions of this act, or who in any other respect wilfully violates or fails, omits or neglects to obey, observe or comply with any order, permit, decision, demand or requirement of the commissioner in this act, is guilty of a public offense, and shall be punished by imprisonment in the state prison or the county jail for a term not to exceed two years, or by a fine of not to exceed two thousand dollars. It shall be the duty of the district attorney of each county in this state to prosecute all violations of the provisions of this section and of this act in the respective counties in which said violations occur, such prosecutions to be instituted, however, only upon the written request or demand of the real estate commissioner."

AMENDMENT NUMBER THREE.

On page 4, line 12, of the printed bill, after the comma following the word "reputation" insert the following words: "of any applicant for a broker's license."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 432?"

The roll was called, and Assembly amendments to Senate Bill No. 432 were concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, Swing, and West—32.

NOES—None.

Senate Bill No. 432 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 38—An act to amend section 953c of the Code of Civil Procedure, relating to record on appeal.

Also: Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43:

Also: Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance:

Also: Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended:

Also: Assembly Bill No. 1302—An act to amend section 4236a of the Political Code, relating to jurors' fees in counties of the seventh class:

Also: Assembly Bill No. 1313—An act to amend section 4013 of the Political Code relating to county officers:

Also: Assembly Bill No. 974—An act to amend section 19*a*31 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those

guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 38 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 683 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1166 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1202 read first time, and referred to Committee on County Government.

Assembly Bill No. 1302 read first time, and referred to Committee on County Government.

Assembly Bill No. 1313 read first time, and referred to Committee on County Government.

Assembly Bill No. 974 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund:

Also: Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended:

Also: Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies:

Also: Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 39 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 799 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 897 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1151 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Joint Resolution No. 2—Relative to pensions for federal employees who have been in service thirty years or more;

Also: Senate Joint Resolution No. 3—Relative to the compensation of laborers in the United States customs service;

Also: Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations;

Also: Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries;

Also: Senate Bill No. 318—An act to add chapter II to title V of part III of the Political Code embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, and to repeal sections 2237, 2238, 2239, 2240, 2243, 2244, 2254, 2255, 2257, 2267, 2268, 2270, 2280, and 2282 of said code relating to the education of the deaf and the blind;

Also: Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended;

Also: Senate Bill No. 159—An act to amend sections 11 and 124 of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended;

Also: Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to the governing bodies of said district which are necessary and convenient to accomplish said purposes and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

Also: Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twentieth day of April, 1923, at one o'clock p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of

leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners:

Also: Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor; And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 425—An act to amend section 626^a of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 439—An act to empower the Board of Fish and Game Commissioners to regulate and control, stabilize and standardize the business of catching, taking, buying and selling of sardines, yellow fin tuna, blue fin tuna, albacore and striped tuna for canning, packing and preserving purposes and regulating and controlling the canning, packing, preserving and selling of such fish and other manufactured fishery products thereof; to license those engaged in the marketing and sale of such canned, packed and preserved fish or fishery products by wholesale; to provide penalties for violation of this act, and to promote the sale of canned, packed, or preserved fish and fishery products;

Also: Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 511—An act to amend section 626^d of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters;

Also: Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson, A. B., to introduce a bill entitled—An act to amend section 67^b of the Code of Civil Procedure, relating to sessions of the superior court—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. K., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Johnson, A. B.: Senate Bill No. 728—An act to amend section 67^b of the Code of Civil Procedure, relating to sessions of the superior court.

Senate Bill No. 728 referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to boards of school trustees and city boards of education.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title after the word "to" insert the following: "the duties of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 8 and 9, of the printed bill, strike out the words "professional, scientific, technical or expert" and insert in lieu thereof the words, "architectural or engineering".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, after the comma insert the following: "with the approval of the county superintendent of schools,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill, after the word "board" insert a comma and "with the approval of the county superintendent of schools,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 24, of the printed bill, after the word "improvement" insert the following, "and except as otherwise provided by law".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 4, of the printed bill, strike out the word "county" and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 7, of the printed bill, strike out the word "county" and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 10, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 15, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 20, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 21, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 24, of the printed bill, strike out the word "may" and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 26, of the printed bill, strike out the word "reasonable".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 29, of the printed bill, after the word "year" insert "except as otherwise provided by law".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 37, of the printed bill, after the word "prepared" insert "and in districts outside of cities having city boards of education by the county superintendent of schools,".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 52, of the printed bill, strike out the word "contract".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 7, of the printed bill, strike out the word "county" and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, lines 8 and 9, of the printed bill, strike out the words "shall proceed to publicly open said bids and shall within ten on the date and at the hour named in such notice the board" and insert in lieu thereof "on the date and at the hour named in such notice the board shall proceed to publicly open said bids and shall within ten".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 14, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 18, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 24, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 28, of the printed bill, strike out the word "cash,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 29, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 30, of the printed bill, strike out the word "cash".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 31, of the printed bill, strike out the word "cash".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 3, lines 37, and 38, of the printed bill, strike out the words "this section" and insert in lieu thereof the word "law".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3, line 38, of the printed bill, strike out the word "cash".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 3, line 40, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 3, line 49, of the printed bill, after the word "with" insert the word "the".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 4, line 2, of the printed bill, after the word "board" insert "and in districts outside of cities having city boards of education by the county superintendent of schools as hereinbefore provided."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 4, line 4, of the printed bill, strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 4, line 9, of the printed bill, strike out the word "not".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 4, line 10, of the printed bill, after the word "power" insert the following: "to modify such plans and specifications but such modifications shall not increase the original contract price more than twenty per cent".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 4, lines 10 and 11, of the printed bill, strike out the following: "to increase the cost of any contract more than twenty per cent of the amount of the original contract price."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 4, line 14, of the printed bill, after the word "cent" insert the word "nor".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 4, line 15, of the printed bill, after the word "performed" insert "during such month".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 4, line 21, of the printed bill, after the word "with" insert the word "the".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 4, line 28, of the printed bill, after the word "his" strike out the words "or their".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 4, lines 37, 38, 39 and 40, of the printed bill, strike out the following: "such contractor or contractors fail to comply with such requisition within five days from date of service thereof, if it can be complied with in said five days, or if".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 4, lines 43 and 44, of the printed bill, strike out the following: "when such requisition can not be complied with within five days".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 4, line 51, of the printed bill, strike out the word "reasonable".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 5, lines 10 and 11, of the printed bill, strike out the following: "The board shall appoint a superintendent of construction promptly after any contract has been executed." Insert in lieu thereof the following: "Promptly after the contract has been executed the board shall designate a person to superintend the construction of the building."

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 5, line 46, of the printed bill, beginning with the word "In", strike out all of lines 46, 47, 48, 49, 50, 51 and 52, and insert in lieu thereof the following: "In cities having city boards of education, no building shall be finally accepted except by a majority vote of the board of education; in districts governed by a board of school trustees, no building shall be accepted except on the approval of the majority of trustees and the county superintendent of schools."

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 6 of the printed bill, strike out all of lines 1, 2, 3, 4, 5 and 6.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 346—An act to add a new section to the Political Code to be numbered 1608*c*, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 353—An act to amend section 1552 of the Political Code, relating to traveling expenses of county superintendents.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 6 of the printed bill, after the word "practice" strike out the word "or" and insert in lieu thereof the word "and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 722—An act to add two new sections to the Penal Code, to be numbered 54*c*, and 54*d*, relating to crimes against the elective franchise.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the period following the word "felony" and insert in lieu thereof a semicolon and the following: "*provided, however, that nothing contained in this act shall be construed to prevent the giving of lawful contributions for legitimate campaign expenses, to be wholly expended before election and provided further that nothing contained in this act shall be construed in any way limit or alter any law of this state governing the purity of elections.*"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 502—An act to amend section 5 of an act entitled, "An act to regulate the practice of pharmacy in the State of California," approved March 20, 1905, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title strike out the word "section" and insert in lieu thereof the word "sections".

Amendment adopted.

AMENDMENT NUMBER TWO.

After the word "five" in line 1 of the title, insert the words "and seven".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after the period at the end of line 5, insert the following: "The governor shall appoint three competent registered pharmacists, who have been actually engaged in the practice of their profession for not less than five years immediately preceding their appointment, to serve as a board of pharmacy. The members of the board shall, within thirty days after their appointment, individually take and subscribe before the county clerk of the county in which they individually reside, an oath faithfully and impartially to discharge the duties prescribed by this act. They shall hold office for the term of four years and until their successors are appointed and have qualified. In case of a vacancy in the board of pharmacy, the governor shall fill the same by appointing a member to serve for the remainder of the term only. The office of the board shall be located in San Francisco. The board shall organize by electing a president, secretary and treasurer. The secretary may or may not be a member of the board as the board in its sound discretion may determine. The secretary and treasurer shall each give a satisfactory bond running to the board of pharmacy in a sum of not less than two thousand dollars, and such greater sum as the board may from time to time require for the faithful discharge of their respective duties.

SEC. 2. Section seven of said act is hereby amended to read as follows:

Sec. 7. Two members of the board shall constitute a quorum. They shall hold a meeting at least once in every four months.

Subdivision 1. The state board of pharmacy shall have power:

(a) To make such by-laws and regulations, not inconsistent with the laws of this state, as may be necessary for the protection of the public, appertaining to the practice of pharmacy and the lawful performance of its duties.

(b) To regulate the practice of pharmacy.

(c) To regulate the sale of poisons.

(d) To regulate the quality of all pharmaceutical preparations and medicines dispensed or sold, in this state, using the United States Pharmacopoeia or National Formulary, as the standard.

(e) To investigate all complaints as to the quality and strength of all pharmaceutical preparations and medicines, and to take such action as may be necessary to prevent the sale of such as do not conform to the standard and tests prescribed in the latest edition of the United States Pharmacopoeia or National Formulary.

(f) To employ inspectors of pharmacy and to inspect during business hours all pharmacies, dispensaries, stores, or places, in which drugs, medicines and poisons are compounded, dispensed or retailed, and to cause the prosecution of all persons whenever there appears to the board to be reasonable ground for such action.

(g) To examine and register as pharmacists and assistant pharmacists all applicants whom it shall deem qualified to be such. All persons applying for registration, under this act, shall pay the following fees therefor to the secretary of the board of pharmacy: Every applicant for registration, other than that of an apprentice, shall pay a fee of ten dollars on filing his or her application, which shall be compensation to the board of pharmacy for investigation or examination of the applicant; and if the board finds that any applicant for registration on experience and credentials is entitled to be registered, then he or she shall pay an additional fee of fifteen dollars upon the issuance of certificate of such registration; and any licensee found by the board on examination to be entitled to a certificate shall pay the additional sum of five dollars upon the issuance of certificate; all applicants for examination as assistant, if found satisfactory by the board, shall be entitled to their certificate without further fee; and provided further, that an applicant for registration on experience and credentials may at his or her option be examined as a licensee without further fee or application.

(h) In the event any person having registered shall have lost his or her certificate, or the same has been destroyed, or if he or she desires the renewal of the same, a new certificate may be issued by said board upon the applicant paying therefor the sum of three dollars; provided, further, that where the original certificate is not lost or destroyed, then the certificate shall be surrendered before a renewal of same shall be issued; and provided, further, that the board shall have power to require satisfactory evidence from the applicant of the loss or destruction of the certificate; and provided, further, that where the applicant is delinquent for the annual dues required by this act then he or she shall be required to pay to said board sufficient fees to cover his delinquency in that behalf he or she shall be entitled to a reissue of the certificate in this subdivision provided for.

(i) To provide by proper rules and regulations for the revocation by said board of licenses issued under the provisions of this act, whenever the holder of such license shall be guilty of habitual intemperance or addicted to the use of narcotic drugs, or shall have been convicted of a felony.

Subdivision 2. It shall be the duty of the State board of pharmacy :

(a) To make arrangements, with analogous boards of the several states and territories whereby interchange for state and territorial licenses will be allowed in the State of California to such licentiate of said boards as desire to secure licenses to engage in the practice of pharmacy in this state and whereby licentiates of the board of examiners in pharmacy in the State of California will secure interchange for licenses issued by said board whenever such licentiates desire to secure licenses to engage in the practice of pharmacy in any such state or territory."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

In the absence of the author, Senate Bill No. 417 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

On motion of Senator Carr, Senate Bill No. 287 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

In the absence of the author, Senate Bill No. 329 was passed on file.

Senate Bill No. 147—An act to authorize reclamation districts to refund outstanding bonded indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 147 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 324—An act to add a new section to the Political Code, to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 324 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 113 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 714 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley,

Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Sample, Slater, Swing, and West—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 130 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, Dr., moved to refer Senate Bill No. 252 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, strike out the words "one license tag" and insert in lieu thereof the words "two license tags".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 252, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Gates, Dr., adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 439—An act to amend section 628a of the Penal Code, relating to fish and game.

On motion of Senator Sharkey, Senate Bill No. 439 was passed on file.

Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 506 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters.

On motion of Senator Gates, Dr., Senate Bill No. 515 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 511—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 511 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Iman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the Judicial Department.

On motion of Senator Sample, Senate Constitutional Amendment No. 25 was passed on file.

Senate Bill No. 377—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

On motion of Senator Sample Senate Bill No. 377 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers Senate Bill No. 84 was passed on file.

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or material used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

On motion of Senator Eden Senate Bill No. 705 was passed on file.

Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors.

On motion of Senator Carr, Senate Bill No. 198 was passed on file.

Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 524 passed by the following vote:

AYES—Senators Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—28.

NOES—Senator Allen—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

Bill read second time, and ordered on file for third reading.

Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army.

COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed resolution strike out all of lines 5, 6 and 7.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed resolution strike out the word "and" in line 17.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed resolution strike out all of line 18 and all of line 19 preceding the word "now".

Amendment adopted.

Assembly Joint Resolution No. 19 read, and ordered to print, engrossment, and on file.

Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code, to be numbered 1662a, relating to the registration of minors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 375.—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629*a*, relating to group insurance by life insurance companies and valuation of group insurance policies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1289—An act to amend section 429 of the Civil Code, relating to fire and marine insurance corporations.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Concurrent Resolution No. 19—Relative to the amendment of the joint rules.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing 31.

NOES—None.

Assembly Concurrent Resolution No. 19 ordered transmitted to the Assembly.

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Assembly Bill No. 1090 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the letter "b" and insert in lieu thereof the letter "c".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1090, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

Assembly Bill No. 1091—An act to amend section 3a and section 3c of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Assembly Bill No. 1091 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 23, of the printed bill, strike out the "period" and insert in lieu thereof the following: "but the total amount of fees for any one production shall not exceed \$5.00 per day."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1091, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.
Assembly Bill No. 838 passed on file.

Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 939 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsfil, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

AMENDMENT TO TITLE.

Senator Gates, E. J., moved to amend the title to Assembly Bill No. 939 as follows:

AMENDMENT NUMBER ONE.

Strike out the word "and" in line 2 of the title of the printed bill and all of lines 3 and 4 thereof and in lieu thereof insert the following: "from county jails, city jails and county hospital, and from the custody of the sheriff".

Amendment to title adopted.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 941 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsfil, Gray, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 942 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsfil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 943 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsfil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211a, regarding the definition of robbery and the degrees thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 944 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Murphy, Nelson, Powers, Rominger, Sample, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 945 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 946 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 947 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1224 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 160—An act to add a new section to the Penal Code, to be numbered 146a, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 160 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 218 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

Bill read third time.

Assembly Bill No. 124 passed on file.

Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 728 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 294 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Johnson, A. B., Johnson, M. B., Jones, Murphy, Nelson, Powers, Rominger, Sample, Slater, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and ten minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the State of Arizona in respect to the location and re-location of the common boundary of said States, and to report concerning the same and concerning an agreement between said States as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 308 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Johnson, A. B., Johnson, M. B., Jones, Murphy, Nelson, Powers, Rominger, Sample, Slater, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.

SENATOR CROWLEY IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Senator Crowley of the twenty-second district was called to the chair.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 725 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Johnson, A. B., Johnson, M. B., Jones, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths; and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Assembly Bill No. 246 passed on file.

Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 23 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Johnson, A. B., Johnson, M. B., Jones, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Assembly Joint Resolution No. 23 ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

AMENDMENT FROM THE FLOOR.

During reading of Assembly Concurrent Resolution No. 13, the following amendments were offered and their adoption moved by Senator Gates, Dr.

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out the word "two" and in lieu thereof insert the word "three".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 4 to 11, both inclusive, and in lieu thereof insert the following:

"Resolved, That while the legislature is in session the committee in carrying out such investigation shall be assigned the use of a stenographer and an assistant sergeant-at-arms, and at all times in conducting such investigation shall have the right to subpoena such witnesses as they may deem necessary."

Amendment adopted.

Resolution read, and ordered to print, and on file.

Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

Assembly Bill No. 891 passed on file.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

Assembly Constitutional Amendment No. 6 passed on file.

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Assembly Bill No. 1086 passed on file.

Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 87 passed by the following vote:

AYES—Senators, Allen, Arbuckle, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1268 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 34 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 131 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read third time.

Assembly Bill No. 479 passed on file.

Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 480 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 397 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sharkey, Slater, and Swing—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties; providing for the government of such districts; designating the officers thereof and prescribing their powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 192 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18*b* thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 398 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 386 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. E., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sharkey, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Assembly Bill No. 915 passed on file.

Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921.

Assembly Bill No. 489 passed on file.

Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 52 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 748 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. E., Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1264 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p* inclusive of the Political Code, relating to county and township officers in counties of the seventh class; the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 40 to Senator Jones as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 11, line 4, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 40, with instructions to amend, respectfully reports the same back, amended as per instructions

JONES, Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print, and re-engrossment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 40 to Senator Jones as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 9, line 14, of the printed bill, strike out the word "township" and insert in lieu thereof the word "townships".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 40, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print, and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act

entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership: 9; committee vote: Ayes: 6.

(Signed out)

SWING, Chairman.
WEST.
SHARKEY.
SLATER.
HANDY.
POWERS.

Assembly Bill No. 1202 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21 $\frac{1}{2}$, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add four new sections to be numbered 14a, 14b, 21a, 22a and 29a:

Also: Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 627c, relating to fish and game:

Also: Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist:

Also: Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921:

Also: Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (OUT OF ORDER).

Senate Bill No. 604—An act to amend section 626 of the Penal Code, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 604 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., McDonald,

Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

On motion of Senator Godsil, Senate Bill No. 696 was passed on file.

Senate Bill No. 425—An act to amend section 626s of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 425 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estate of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 292 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At three o'clock and ten minutes p.m., on motion of Senator Breed, Senator Crowley declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, April 24, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Ar buckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 23, 1923, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Filmore Condit, vice mayor of Long Beach.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly this day passed as amended Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries of the district attorney, deputy district attorney, and stenographer in the office of the district attorney in counties of the twenty-seventh class.

ARTHUR A. OHNIMUS, Chief Clerk
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1137 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Conference on Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manu-

facture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—Assemblymen Bernard, Foster, and Whitacre.

ARTHUR A. OILNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Conference report concerning Assembly Bill No. 879, recommending the appointment of a Free Conference Committee, and the following Assemblymen were appointed: Cleveland, Donohue, and Foster, to meet with a like committee from your honorable body.

ARTHUR A. OILNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Boggs, Dennett and Osborne as a Committee on Free Conference, to meet with a like committee from the Assembly for consideration of Assembly Bill No. 879.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Assembly Constitutional Amendment No. 2 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by adding a new section to be known as section 26a relative to the qualification of directors, and by repealing section 32½ of said act;

Also: Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be

appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

Also: Senate Bill No. 478.—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

Also: Senate Bill No. 718.—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Also: Senate Bill No. 655.—An act to amend section 10 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Also: Senate Bill No. 721.—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and

authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created:

Also: Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911:

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation—and reports that the same has been correctly reengrossed.

GATES, DR., Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 34—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

POWERS, Chairman.

Assembly Bill No. 401 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county:

Also: Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43;

Also: Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—11; absent—2.

POWERS, Chairman.

Assembly Bills Nos. 369, 683 and 1288 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 97—An act to amend section 43007 of the Political Code, relating to

fees of jurors has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bill No. 97 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 429—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4:

Also: Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bills No. 429 and 727 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 281—An act to amend section 6 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer:

Also: Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts having a population of 400,000 or more:

Also: Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds:

Also: Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California:

Also: Assembly Bill No. 1294—An act to amend section 1454 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bills Nos. 281, 341, 722, 1291 and 1294 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

MURPHY, Chairman.
CANEPA.
CREIGHTON.
INMAN.
CROWLEY.
OSBORNE.
BURNETT.
GATES, DR.

Assembly Bill No. 325 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Hurley:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following resolution was introduced:

By Senator Hurley: Senate Concurrent Resolution No. 21—Relative to approving an amendment to the charter of the City of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923.

Senate Concurrent Resolution No. 21 referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

In the absence of the author, Senate Bill No. 417 was passed on file.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gray moved to refer Senate Bill No. 329 to Senator Chamberlin, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out all of the title after the words "An act", and insert in lieu thereof the following: "to amend sections two hundred fifty-eight and two hundred fifty-nine of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure to be numbered two hundred sixty, relating to the salary of court commissioners in counties of the first class."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out all of lines 1, 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Section two hundred fifty-eight of the Code of Civil Procedure is hereby amended to read as follows:

258. The superior court of every city and county in the state may appoint six commissioners, each to be designated as "court commissioner" of said city and county; the superior court of every county of the first class may appoint three commissioners, and the superior court of every other county in the state may appoint one commissioner, each to be designated as "court commissioner" of said county.

Such commissioners shall be citizens of the United States and residents of the city and county or county in which they are appointed, and shall hold office at the pleasure of the courts appointing them. From and after the first day of January, 1924, no person shall be eligible to appointment as a court commissioner, in counties of the first class, unless he shall have been admitted to practice law before the supreme court of the state prior to his appointment.

SEC. 2. Section two hundred fifty-nine of the Code of Civil Procedure is hereby amended to read as follows:

259. Every court commissioner shall have power:

1. To perform chamber business of the judges of the superior court and generally to grant the orders and writs that are usually granted in the first instance on ex parte application, and to hear and dispose of such orders and writs, except as hereinafter provided; also to act as and perform the duties of referee as provided for by the act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," and being the initiative act adopted at the election held November 3, 1915, when such commissioner is appointed by the superior court for that purpose, and when he possesses the qualifications prescribed by law for such referee; *provided, however*, that no court commissioner shall have the power to grant orders or writs of injunction or orders appointing receivers; and *provided further*, that the superior court may by order entered upon its minutes further limit the powers of such commissioner.

2. To take proof and report his conclusions thereon as to any matter of fact other than an issue of fact raised by the pleadings, upon which information is required by the court; but any party to the proceedings may except to such report within five days after written notice that the same has been filed, and may argue his exceptions before the court on giving notice of motion for that purpose;

3. To take and approve bonds and undertakings whenever the same may be required in actions or proceedings in such superior courts, and to examine the sureties thereon when an exception has been taken to their sufficiency, to approve official bonds and to administer oaths and affirmations, and take affidavits and depositions in any action or proceeding in any of the courts of this state, or in any matter or proceeding whatever, and to take acknowledgments and proof of deeds, mortgages, and other instruments requiring proof or acknowledgment for any purpose under the laws of this state;

4. To provide an official seal upon which must be engraved the words "court commissioner" and the name of the city and county or county in which such commissioner resides, and to authenticate his official acts with his official seal.

5. To charge and collect the same fees for the performance of official acts as are now or may hereafter be allowed by law to notaries public in this state for like services, except that this subdivision shall not apply to any services of such commissioner the compensation for which is expressly fixed by law; *provided, however*, that in any city and county or county where such commissioner receives a salary from the city and county or county, such salary shall be in full compensation for all services performed by such commissioner; and shall be in lieu of all fees or other compensation.

SEC. 3. A new section is hereby added to the Code of Civil Procedure to be numbered two hundred and sixty and to read as follows:

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the word "the" immediately after the word "class", and insert the word "each" in lieu thereof.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill strike out all of line 6 after the word "salary" and insert in lieu thereof the following: "to be fixed by the board of supervisors of the county, and".

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed bill, strike out the word "other".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 329, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Gray, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—28.

NOES—Senators Carr, McDonald, and Nelson—3.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 515 was passed.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 603 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 9 of the printed bill, after line 35, add the following:

"SEC. 22. Section thirty-two of said act is hereby amended to read as follows:

Sec. 32. Fish and game district 7a shall consist of the waters of Big lagoon, Stone lagoon and Fresh-water lagoon in Humboldt county."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 603, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Nelson, adopted.

Bill ordered to print, and re-engrossment. .

Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 678 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF SENATE BILLS.

Senator Godsil asked for and was granted unanimous consent to have Senate Bill No. 696 re-referred to Committee on Fish and Game.

Senator Rominger asked for and was granted unanimous consent to have Senate Bill No. 439 re-referred to Committee on Fish and Game.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California, relative to the judicial department.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 25 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Senate Constitutional Amendment No. 25 ordered transmitted to the Assembly.

RE-REFERENCE OF SENATE BILL.

Senator Sample asked for and was granted unanimous consent to have Senate Bill No. 377 re-referred to Committee on Corporations.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or material used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

On motion of Senator Eden, Senate Bill No. 705 was passed on file.

RE-REFERENCE OF ASSEMBLY BILL.

Senator Swing asked for and was granted unanimous consent to have Assembly Bill No. 1199 taken from Committee on County Government and re-referred to Committee on Municipal Corporations.

SPECIAL ORDER.

Senator Carr moved that Senate Bill No. 198 be made a special order for Thursday, April 26, 1923, at twelve o'clock m.

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

On motion of Senator Jones, Senate Bill No. 83 was passed on file.

Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by amending section 28 of said act, and by repealing section 32½ of said act.

In the absence of the author, Senate Bill No. 39 was passed on file.

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-

applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson, moved to refer Senate Bill No. 229 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 43, of the printed bill, strike out the words "after the passage of this act and (prior)", and the following words in line 44: "to the first day of August, 1923," and insert in lieu thereof the words "of ten consecutive years after August 1, 1918."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 229, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Nelson, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment

of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such non-applied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

In the absence of the author, Senate Bill No. 478 was passed on file.

Senate Bill No. 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 718 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 655—An act to amend section 10 of an act entitled "Improvement Act of 1911."

On motion of Senator Gates, E. J., Senate Bill No. 655 was passed on file.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Senate Bill No. 721 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "upon the".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the words "easterly side" and insert in lieu thereof the word "east".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, add a new section to be numbered "Sec. 5." and to read as follows:

"SEC. 5. Anything in the "motor vehicle act" approved May 10, 1915, as amended, to the contrary notwithstanding, the board of supervisors of any county, or city and county, which is empowered by law to expend money for the construction of public highways outside of its corporate limits, may contribute to said California highway commission, towards defraying the cost of the construction or maintenance of said highway, any sum or sums of money received by said county, or city and county from that certain fund in the state treasury known as the 'motor vehicle fund' or from fines or forfeitures collected in cases of conviction for violation of any of the provisions of said "motor vehicle act"."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 721, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 628 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the semicolon following the word "office", and insert in lieu thereof a period and strike out all the remainder of line 16, and all of lines 17, 18, 19, 20 and to and including the period following the words "per annum" on line 21.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 628, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 287—An act to amend section 361*a* of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

On motion of Senator Carr, Senate Bill No. 287 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Arbuckle moved to refer Senate Bill No. 688 to Senator West, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 45, of the printed bill, beginning with the word "In" strike out the remainder of line 45 and all of lines 46, 47, 48, 49, 50, down to and including "them" and the period in line 51.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 688, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator Arbuckle, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Swing moved to refer Senate Bill No. 252 to Senator Osborne as a Special Committee of One, to amend as follows:

On page 2, line 51, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "and used exclusively for the propagation and protection of fish and game."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 252, with instructions to amend, respectfully reports the same back, amended, as per instructions.

OSBORNE, Special Committee.

Report read, and on motion of Senator Swing, adopted.

Bill ordered to print, and re-engrossment.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereof of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act

by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1090 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An act to amend section 3a and section 3c of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

Assembly Bill No. 124 passed on file.

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Assembly Bill No. 246 passed on file.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte Bypass Project No. 6, in the Sacramento-San Joaquin Drainage District. Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 13 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—33.
NOES—None.

Assembly Concurrent Resolution No. 13 ordered transmitted to the Assembly.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Assembly Bill No. 734 passed on file.

Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Arbuckle moved to refer Assembly Bill No. 891 to Senator West as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "master" insert the following: ", and shall file a bond with the state superintendent of weights and measures (department of agriculture) in the sum of one thousand dollars for the faithful performance of his duties,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 891, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator Arbuckle, adopted.
Bill ordered to print, and re-engrossment.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

Assembly Constitutional Amendment No. 6 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p* inclusive of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 40 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF ASSEMBLY BILL.

Senator Allen asked for and was granted unanimous consent to have Assembly Bill No. 479 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Assembly Bill No. 915 passed on file.

Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 489 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319*i* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 587 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gadsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (OUT OF ORDER).

Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 723 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gadsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new

section to the Political Code, to be numbered 1662*a*, relating to the registration of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 362 passed by the following vote:

AYES—Senators Allen, Arbuckle, Chamberlin, Creighton, Crowley, Eden, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lyon, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 975 passed by the following vote:

AYES—Senators Allen, Arbuckle, Chamberlin, Creighton, Crowley, Eden, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and ten minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 417 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Chamberlin, Creighton, Crowley, Eden, Handy, Harris, Hart, Hurley, Ingram, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 152 passed by the following vote:

AYES—Senators Arbuckle, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Harris, Hart, Hurley, Ingram, Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—23.

NOES—Senator Allen—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 19 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Assembly Joint Resolution No. 19 ordered transmitted to the Assembly.

Assembly Bill No. 375—An act to amend section 1850 of the Political Code, relating to the number of days school must be maintained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 375 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Creighton, Crowley, Eden, Gates, Dr., Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 359 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Handy, Hart, Hughes, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Powers, Sharkey, Slater, and West—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 197 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 586 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Gray, Handy, Hughes, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Rominger, Sample, Sharkey, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 592 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hughes, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Harris moved to refer Assembly Bill No. 1086 to Senator Breed as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "section one" and in lieu thereof insert the following: "sections one and four".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 13, add the following:

"Sec. 2. Section four of said act approved March 15, 1907, as amended, is hereby amended to read as follows:

Sec. 4. The map or plat so made, indorsed and acknowledged shall be submitted to the governing body of the city, city and county, or county having control of public

highways in the territory shown on such map or plat, for the approval of such governing body before such map or plat is filed for record in the recorder's office; *provided*, that said map or plat shall not be accepted or approved by such governing body unless the same is accompanied by a certificate of the county surveyor and county assessor, if such tract or subdivision of land lies in unincorporated territory, or city engineer, if such there be, and the city assessor of any incorporated city or town, in which the whole or any part of such tract or subdivision of land is situated, showing that each and every lot and block therein has been carefully examined as to its value for residence or commercial uses with their suggestions and recommendations to such governing body; *and provided, further*, that whenever such tract or subdivision of land lies within an incorporated city or town, the map or plat thereof shall first be submitted by the governing body thereof to the city planning commission, if such there be, of such city or town, or, if there be no city planning commission, to the city engineer, if such there be. Said city planning commission, or city engineer, shall report thereon to the governing body within ten days after receipt of said map or plat. If such tract or subdivision of land is in unincorporated territory but within three miles from the exterior boundaries of any city, or town, within the same county, the map or plat thereof shall first be submitted by the county board of supervisors to the city planning commission, if such there be, or to such city engineer as above provided of the city or town lying nearest to, and situated within the same county as such tract or subdivision of land, whereupon such commission shall make an examination of such map or plat and submit a report thereon with its suggestions and recommendations to the governing body of the municipality. Said governing body shall thereupon submit a report thereon, with its suggestions and recommendations to the said county board of supervisors. Such governing body after considering the report of the city planning commission, or the city engineer, as the case may be, and said county board of supervisors, after considering the report of said governing body, shall approve or disapprove such map or plat within thirty days after the same is submitted to it as above provided. In the event of the failure, refusal or neglect of said city planning commission, or city engineer to so report within said ten days to the said governing body it shall then be the duty of said commission or city engineer to forthwith transmit said map or plat to said governing body for its action thereon. In the event of the failure, refusal or neglect of said governing body to so report to said county board of supervisors within twenty days after said county board has so filed said map or plat with said city planning commission, or city engineer, it shall then be the duty of said governing body to forthwith transmit said map or plat to said county board of supervisors for its action thereon. If approved, the said governing body or board of supervisors shall indorse, or cause to be indorsed, on said map, or plat its approval of the same. Without such approval the said map or plat shall not be filed for record or be recorded. Such governing body may require the public highways, if any, offered for dedication by said map or plat and the parcel or parcels of land, if any, therein reserved or indicated for highway or right of way purposes, and not offered for dedication to public use, to be as wide as and to conform, as near as practicable, to the adjoining, surrounding or neighboring streets or highways of said city, county, or county. If such map or plat offers for dedication any highways said governing body or board of supervisors shall indorse thereon which of the highways so offered for dedication are accepted on behalf of the public, and thereupon such highways which have been so accepted, and no others, shall be and become dedicated to the public use.

In the event that the tract of land shown upon the map or plat is traversed by any natural water course or channel, such governing body may require as a condition precedent to the approval of such map or plat, either the dedication to public use of an easement or a conveyance to the political subdivision of a right of way for storm drain purposes to conform substantially with the lines of such natural water course or channel."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1086, with instructions to amend, respectfully reports the same back, amended as per instructions.

IFREED, Special Committee.

Report read, and on motion of Senator Harris, adopted.
Bill ordered to print, and re-engrossment.

Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629a, relating to group insurance by life insurance companies and valuation of group insurance policies.

Assembly Bill No. 518 passed on file.

Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies.

Assembly Bill No. 519 passed on file.

Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Assembly Bill No. 520 passed on file.

Assembly Bill No. 1289—An act to amend section 429 of the Civil Code, relating to fire and marine insurance corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1289 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 195—An act to repeal sections 367c, 367d, 499b and 499c of the Penal Code relating to the use and unlawful taking of vehicles, and the duty of drivers of vehicles and to the driving of vehicles by drivers while they are intoxicated—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SHARKEY, Chairman.
JOHNSON.
BOGGS.
HART.
BREED.
JONES.
OSBORNE.
EDEN.
NELSON.
LYON.
SLATER.

Senate Bill No. 195 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Nelson:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act making an appropriation to pay the claim of George W. Howe against the State of California.

Request referred to Committee on Rules.

ADJOURNMENT.

At two o'clock and forty minutes p.m., on motion of Senator Sample, the President pro tempore declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, April 25, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 24, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Henry Grat-tan, Henry Nichols and Harland Frederick of Berkeley.

On request of Senator Hurley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following faculty members and students of the Berkeley High School:

Faculty—Mr. A. A. Gray, head of history department, and Miss Margaret Bennett and Miss Elizabeth Wheeler of history department and Miss Margaret McCulloch of commercial department. Students—Willa Conzmann, Lawrence Mitchell, Carol Kidder, Jean Moir, Agnes Newman, Dorothy Hiefield, Angelique Hincley, Carol Kechner, Alameda Gilkey, Glory Hale, Clayton Briggs, Bernice Elbert, Thomas Eichelberger, Adelaide Hanson, Edna Hall, John Johnson, Robert Kincaid, Carl Larson, John McDaniels, Chas. Pugh, Marian Rideout, Edward Stevens, Ruth Sterrett, Lois Tyrell, Crimo White, Carol Gear, Renwick Congdon, Corrine Christianson, Paul Culbert, Chas. Cutler, Marjorie Gear, Katherine Ergott, Harlan Fredericks, Lois Hoyt, Thelma Hoover, Janice Hoyt, Maurine McKeany, Nelson Miles, Leonie Miller, John Moore, Henry Nichols, Phillip Paz, Harlyn Ring, Lorimer Skidmore, Helen Snyder, John Thornton, Wilmer Voorhees, Phillip Usinger, Ruth McCulloch, Laurence Yates, Edwin Buckalew, Patricia Bendall, Florence Bullard, Berta Francis, Merle Wheeler, Muriel Rosenquist, Edith Smith, Margaret Nichols, Chester Winnigstad, Seth McKenna, Ruth Klepper, Maurine Johnson, Helen Johnson, Paul Bartlett, Edna Turner, Elva Miller, Margaret Webber, Paul McGuire, Josephine Techner, Evalyn Henderson, Ruth Richards, Herbert Clossen, Pauline Baker, Lawrence Cooper, Alice Edwards, Parker Kely, Kitty Martin, Esther Sadowski, Helen Watson, Barbara Weddle, Helen-Mar Wheeler, Rhesa Hall, Herick Lehmer, Harriet Labarthe, John Lewis, Will Engle, Gwendolyn Barnes, Margaret Collins, Anita Gordon, Marguerite Lynn, Inez Schaepe, Dora Richards, Dorothy Wells, Delphi Stevens, Constance Johnson, Astrid Johnson, Linnea Johnson, Elizabeth Dempster, Gale King, Sidney Glasson, Sidney Watson, Gled Post, Jack Glossner, Dan McLaughlin, Bertha Shockley, Horace Mann, Francis Cahill, Marguerite Milnthorpe, Edna Hampton, Knight Biggerstaff, Wilber Hayes, Mabel McLean, Clarence Fagerstrom, Henry Grattan, Gladys Hull, Helen Kastens, Alice Mork, Phyllis Chumma, Georgia Smith, Edith Stroebel, Mabel Anderson, Eleanor Bates, Hazel Hewitt, Frances Kockritz, Janet Laver, Josephine Logan, Wesley Miller, Dolores Mote, Margaret Nichols, John Sears, Emma Snow, Ruth Taft, Herbert Vicars, Paul Wilson, and Alice Zecker.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Charles L. McEnerney, of San Francisco, Grand Director of the Native Sons of the Golden West.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Postmaster Chas. O. Dunbar, Joseph P. Barry and George Coden of Santa Rosa.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to H. C. Waughop of Long Beach.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith" approved May 28, 1917, as amended, and to add five new sections to be numbered 14a, 14b, 21a, 22a and 29a:

Also: Senate Bill No. 329—An act to amend sections 258 and 259 of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure to be numbered 260, relating to the salary of court commissioners in counties of the first class:

Also: Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such unapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions

of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended;

Also: Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created;

Also: Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911;

Also: Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners;

Also: Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to the duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax;

Also: Senate Bill No. 346—An act to add a new section to the Political Code to be numbered 1608c, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts;

Also: Senate Bill No. 353—An act to amend section 1552 of the Political Code, relating to traveling expenses of county superintendents;

Also: Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution;

Also: Senate Bill No. 722—An act to add two new sections to the Penal Code, to be numbered 54c, and 54d, relating to crimes against the elective franchise;

Also: Senate Bill No. 502—An act to amend sections 5 and 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California," approved March 20, 1905, as amended;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class;

Also: Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water;

Also: Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires;

Also: Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions;

Also: Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes;

Also: Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations;

Also: Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of non-residents;

Also: Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1a, relating to hearings upon applications for a permit to appropriate water, and 1b, relating to actions for review and to priority of right;

Also: Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego;

Also: Senate Bill No. 70—An act to amend section 2605 of the Political Code relating to San Diego Bay;

Also: Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities;

Also: Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof;

Also: Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests;

Also: Senate Bill No. 240—An act granting certain tidelands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at three o'clock and thirty minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water;

Also: Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at three o'clock and thirty-five minutes p.m.

GATES, DR., Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 13—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

JOHNSON, M. B., Chairman.

Senate Bill No. 13 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1107—An act to amend an act defining the term, lowest responsible bidder, on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 28,

1876, approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

JOHNSON, M. B., Chairman.

Assembly Bill No. 1107 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers:

Also: Assembly Bill No. 210—An act to amend section 360c of the Political Code relating to records:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes 7; absent—2.

JOHNSON, M. B., Chairman.

Senate Bill No. 303 ordered on file for second reading.

Assembly Bill No. 210 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following resolution was offered:

By Senator Lewis: Senate Concurrent Resolution No. 22—Relative to approving amendment to the charter of the county of Los Angeles, State of California.

Senate Concurrent Resolution No. 22 referred to Committee on County Government.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 97—An act to amend section 4300f of the Political Code, relating to fees of jurors.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title following the word "section" in line one thereof, and insert in lieu thereof the following: "one thousand one hundred forty-three of the Penal Code, relating to fees of jurors."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the words "Section 1." strike out all the balance of the bill and insert in lieu thereof the following: "Section one thousand one hundred forty-three of the Penal Code is hereby amended to read as follows:

"Sec. 1143. Jurors' Fees. Payment of Same. The fees of jurors in the superior courts of the state, in criminal cases, shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage, to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only. Such fees and mileage shall be paid by the treasurer of the county, or city and county, in which the juror's services were rendered, out of the general fund of said county, or city and county, upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer, of said county, or city and county, shall pay said warrants. The board of supervisors of each county, or city and county, is hereby directed to make suitable appropriation for the payment of the fees herein provided for.

All acts and parts of acts in conflict herewith are repealed so far as the same conflict with this section."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 429—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 195—An act to repeal sections 367*c*, 367*d*, 499*b* and 499*c* of the Penal Code, relating to the use and unlawful taking of vehicles, and the duty of drivers of vehicles and to the driving of vehicles by drivers while they are intoxicated.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 688 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 329—An act to amend section 258 of the Code of Civil Procedure, relating to court commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 329 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Chamberlin, Creighton, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE.

During the third reading of this bill, Senator Jones moved to refer Senate Bill No. 603 to Senator Powers as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 12 of the title, strike out the word "four" and insert in lieu thereof the word "six".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 12 of the title, following the word "numbered" insert "two a.".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 13 of the title, following the comma after the letter "a" insert "twenty-one b.".

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, following the comma after the word "half" insert "fish and game district one and three-quarters,".

AMENDMENT NUMBER FIVE.

On page 2, line 10, of the printed bill, following the comma after the letter "G" insert "three "H" ".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill strike out all of line 35 following the comma after the word "Kings" and all of lines 35 to 40, inclusive, and that portion of line 41 preceding the word "those" and that part of line 43 following the semicolon after the letter "A", and that portion of line 44 preceding the word "those".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill in lines 47 and 48 strike out the words "those portions of Sierra and Nevada counties" and insert in lieu thereof "those portions of Nevada county".

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill insert between lines 33 and 40 the following :

"SEC. 4. A new section is hereby added to said act, to be known as section two *a* and to read as follows :

SEC. 2*a*. Fish and game district one and three-quarters shall consist of and include the following counties, those portions of Modoc county not included in fish and game districts one "B" and one "C"; those portions of Trinity county not included in fish and game district one "D"; those portions of Shasta county not included in fish and game district one "E"; those portions of Lassen county not included in fish and game districts one "F" and twenty-five; those portions of Plumas county not included in fish and game district one "H" and twenty-five; those portions of Sierra county not included in fish and game district twenty-three.

AMENDMENT NUMBER NINE.

On page 3, line 40, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "5".

AMENDMENT NUMBER TEN.

On page 4, line 3, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "6".

AMENDMENT NUMBER ELEVEN.

On page 4, line 23, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "7".

AMENDMENT NUMBER TWELVE.

On page 4, line 43, of the printed bill, strike out the figure "7" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 26, of the printed bill, strike out the figure "8" and insert in lieu thereof the figure "9".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 36, of the printed bill, strike out the word "the".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 45, of the printed bill, strike out the figure "9" and insert in lieu thereof the figure "10".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 49, of the printed bill, strike out the word "ten" and insert in lieu thereof "ten, two and one-half".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 11, of the printed bill, strike out the figure "10" and insert in lieu thereof the figure "11".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 22, of the printed bill, strike out the letter "F" and insert in lieu thereof the letter "G".

AMENDMENT NUMBER NINETEEN.

On page 6, line 23, of the printed bill, strike out the word "district" and insert in lieu thereof the following: "districts three "E", three "G", three "H" and".

AMENDMENT NUMBER TWENTY.

On page 6, line 42, of the printed bill, strike out the figure "11" and insert in lieu thereof the figure "12".

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 1, of the printed bill, strike out the figure "12" and insert in lieu thereof the figure "13".

AMENDMENT NUMBER TWENTY-TWO.

On page 7 of the printed bill, between lines 16 and 17, insert the following :

"SEC. 14. A new section is hereby added to said act, to be numbered section 21*b* and read as follows :

SEC. 21*b*. Fish and game district three "H" shall consist of and include all those lands lying within the county of Santa Clara included within the following boundaries: Beginning at the common corner between township eight south, range one west, township eight south, range one east, township nine south, range one west, and township nine south, range one east, Mount Diablo base and meridian, and running thence in a straight line to the crossing of the Santa Cruz highway over Moody gulch; thence following the Santa Cruz highway to Loma Prieta avenue; thence following Loma Prieta avenue to the east line of lands of Valencia Hihn Company; thence north along said east line of Valencia Hihn Company to Mount Loma Prieta; thence following the easterly summit of the Los Gatos watershed to

power of exclusive governing the members [part of the Law Book amended] all in favor - three yeas.

AMENDMENT TO LAW BOOK-THIRTEEN.

The page 7, line 17 of the printed bill, strike out the words "10" and insert in its stead the words "15".

AMENDMENT TO LAW BOOK-FOURTEEN.

The page 7, line 20 of the printed bill, strike out the words "14" and insert in its stead the words "10".

AMENDMENT TO LAW BOOK-FIFTEEN.

The page 7, line 24 of the printed bill, strike out the words "thirteen" and insert in its stead the word "twenty-one".

AMENDMENT TO LAW BOOK-SIXTEEN.

The page 7, line 26 of the printed bill, strike out the words "10" and insert in its stead the words "15".

AMENDMENT TO LAW BOOK-SEVENTEEN.

The page 8, line 1, of the printed bill, strike out the words "10" and insert in its stead the words "15".

AMENDMENT TO LAW BOOK-EIGHTEEN.

The page 8, line 17 of the printed bill, strike out the words "17" and insert in its stead the words "10".

AMENDMENT TO LAW BOOK-NINETEEN.

The page 8, line 21 of the printed bill, strike out the words "10" and insert in its stead the words "20".

AMENDMENT TO LAW BOOK-TWENTY.

The page 8, line 27 of the printed bill, strike out the words "1" and insert the word "and".

AMENDMENT TO LAW BOOK-TWENTY-ONE.

The page 8, line 29 of the printed bill, strike out the words "10" and insert in its stead the words "15".

AMENDMENT TO LAW BOOK-TWENTY-TWO.

The page 8, line 34 of the printed bill, strike out the words "20" and insert in its stead the words "25".

AMENDMENT TO LAW BOOK-TWENTY-THREE.

The page 8, line 37 of the printed bill, striking the words "thirteen" insert the word "10".

AMENDMENT TO LAW BOOK-TWENTY-FOUR.

The page 9 of the printed bill, strike out all of line 40 following the words "and amendments" "and" and insert in its stead the following: "20. Nothing shall be done at such place as hereby provided, except as follows."

AMENDMENT TO LAW BOOK-TWENTY-FIVE.

The page 9 of the printed bill, strike out line 1, the following: "Sec. 25. Nothing shall be done at such place as hereby provided, except as follows."

AMENDMENT TO LAW BOOK-TWENTY-SIX.

The page 9 of the printed bill, strike out all of line 30 insert the following: "Sec. 25. Nothing shall be done at such place as hereby provided, except as follows."

AMENDMENT TO LAW BOOK-TWENTY-SEVEN.

The page 9 of the printed bill, strike out lines 24 and 25, insert the following: "Sec. 25. Nothing shall be done at such place as hereby provided, except as follows."

Meeting adjourned.

REPORT OF OFFICERS COMMISSIONED BY THE

The Executive. Two further committees of five, to which the various reports of the officers, were assigned to be prepared. Subsequent reports the same have assigned to get themselves.

JOSEPH W. BROWN, Chairman.

Report read and on motion of Executive Council adopted
and returned to print, with its recommendations.

Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by amending section 28 of said act, and by repealing section 32½ of said act.

In the absence of the author, Senate Bill No. 39 was passed on file.

Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

In the absence of the author, Senate Bill No. 478 was passed on file.

Senate Bill No. 655—An act to amend section 10 of an act entitled "Improvement Act of 1911."

On motion of Senator Gates, E. J., Senate Bill No. 655 was passed on file.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

In the absence of the author, Senate Bill No. 721 was passed on file.

Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 628 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

In the absence of the author, Senate Bill No. 194 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

RE-REFERENCE OF BILL.

Senator Chamberlin asked for and was granted unanimous consent to have Senate Bill No. 536 re-referred to Committee on Education.

Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax.

On motion of Senator Sharkey, Senate Bill No. 442 was passed on file.

Senate Bill No. 346—An act to add a new section to the Political Code to be numbered 1608*c*, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 346 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution.

On motion of Senator Canepa, Senate Bill No. 719 was passed on file.

RECESS.

At twelve o'clock m., on motion of Senator Breed, the President declared the Senate at recess until the hour of one o'clock and thirty minutes p.m.

RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened, Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 531—An act to amend section 653*c* of the Penal Code, relating to hours of labor—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 531 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 230—An act to amend section 1 of an act entitled "An act limit-

ing the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 230 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; noes—2; absent—3.

MURPHY, Chairman.

Senate Bill No. 249 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females:

Also: Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Assembly Bills Nos. 88 and 494 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended—has had the

same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

BOGGS, Chairman.
POWERS.
LEWIS.
ARBUCKLE.
CREIGHTON.
OSBORNE.
HARRIS.
RUSSELL.
NELSON.
INMAN.

Assembly Bill No. 1114 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1250—An act to amend section 681a of the Code of Civil Procedure, relating to stay of execution—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; noes—1; absent—5.

JONES, Chairman.

Assembly Bill No. 1250 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 303—An act to amend section 671 and 674 of the Code of Civil Procedure and to repeal section 671a of said code, relating to judgment liens and transcripts of judgments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; noes—2; absent—4.

JONES, Chairman.

Assembly Bill No. 303 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—6; noes—3; absent—5.

JONES, Chairman.

Assembly Bill No. 252 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, Chairman.

Assembly Bill No. 416 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts;

the necessary proper collection, storage and preservation of water charges, the necessary disposal and utilization of the same income, and the determination of such water and electric property for the payment of such debts, and the disposal of such property, approved May 25, 1922.

Also, Assembly Bill No. 228—42, not in title, a new section to the Code of Civil Procedure to be inserted after and to read: Section 228 of the said Code, relating to payment of judgment notwithstanding the verdict.

Also, Assembly Bill No. 229—42, not in second reading, 228 and 229 of the Code of Civil Procedure, relating to judgments.

Also, Assembly Bill No. 230—42, not in second reading, 229 of the Code of Civil Procedure, relating to judgments for a new title.

Also, Assembly Bill No. 231—42, not in second reading, 229 of the Code of Civil Procedure, not in title, a new section to the said Code to be inserted, 231, relating to service of process, judgments in judgments who have defaulted at the time not existing.

Also had the same under consideration, and requesting reports the same back, and amendments, that will do any.

Committee amendments—14; committee vote, Aye—30; yeas—4.

JONES, Chairman.

Assembly Bill No. 104, 228, 229, 230 and 231 ordered on the for second reading.

Also:

Mr. President: Your Committee on Judiciary, to which was referred Senate Bill No. 228—42, not in second reading, 228 of the Code of Civil Procedure, relating to payment of the judgment notwithstanding the verdict notwithstanding, and respectfully reports the same back, and amendments, that will do any.

Committee amendments—14; committee vote, Aye—30; yeas—4.

JONES, Chairman.

Senate Bill No. 728 ordered on the for second reading.

Also:

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 228—42, not in second reading, 228 of the Code of Civil Procedure, relating to payment of the judgment notwithstanding the verdict notwithstanding, and respectfully reports the same back, with amendments, and respectfully reports that it is not in order.

Committee amendments—14; committee vote, Aye—30; yeas—4.

JONES, Chairman.

Assembly Bill No. 88 ordered on the for second reading.

Also:

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 88—42, not in second reading, 88 of the Code of Civil Procedure, relating to the making of orders in judgments of judgments who have defaulted at the time not existing, and respectfully reports the same back, with amendments, and respectfully reports that it is not in order, and respectfully reports the same back, with amendments, and respectfully reports that it is not in order.

Committee amendments—14; committee vote, Aye—30; yeas—4.

JONES, Chairman.

Assembly Bill No. 948 ordered on the for second reading.

Also:

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 948—42, not in second reading, 948 of the Code of Civil Procedure, relating to the making of orders in judgments of judgments who have defaulted at the time not existing, and respectfully reports the same back, with amendments, and respectfully reports that it is not in order, and respectfully reports the same back, with amendments, and respectfully reports that it is not in order.

Committee amendments—14; committee vote, Aye—30; yeas—4.

JONES, Chairman.

Assembly Bill No. 674 ordered on the for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hurley to introduce a bill entitled—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Hurley: Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

Senate Bill No. 729 read first time, and referred to Committee on Commerce and Navigation.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nelson to introduce a bill entitled—An act making an appropriation to pay the claim of George W. Howe against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Nelson: Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California.

Senate Bill No. 730 read first time, and referred to Committee on Finance.

By Senator Rominger: Senate Concurrent Resolution No. 23—Relative to approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923.

Senate Concurrent Resolution No. 23 referred to Committee on Municipal Corporations.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 24 passed the following:

Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School:

Also: Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By JAMES E. POWERS, Assistant Clerk.

Assembly Concurrent Resolution No. 21 read, and referred to Committee on Education.

Assembly Concurrent Resolution No. 22 read, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 24 passed the following:

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties:

Also: Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses:

Also: Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 501 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 807 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1334 read first time, and referred to Committee on Roads and Highways.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 181 is returned herewith without my approval.

This bill provides that any person convicted of a felony who is paroled for ten years shall be deemed to have served his term and be discharged from prison. Not only will this limit the pardoning power of the Governor and curtail the functions of the Board of Prison Directors, but it will reduce the term of life imprisonment to ten years. I regard such a change in our penal laws to be highly undesirable, and not in the interest of the administration of public justice. The Attorney General, whose opinion I solicited, advises me that if the bill is enacted into law it would prevent punishment for crimes discovered after the ten-year period.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

VETO OF GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Juman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 308 is a duplication of Senate Bill No. 385, passed by both houses and signed by me on February 2, 1923. At the request of the author I am returning it herewith to your honorable body without my approval.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 164 is returned herewith without my approval.

One effect of this amendment to section 1386 of the Civil Code will be to deprive a second wife of her right under the laws of succession to share in her husband's estate, unless there be issue of such second marriage. There is much doubt whether this rule would be just or proper in any case. I am not aware of any public demand for the change, and in default of such a demand I do not think it should be made.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Dennett, Senate Bill No. 164 ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 190 is returned herewith without my approval.

This bill amends sections 1578 and 1579 and is designed to eliminate the necessity of setting forth in a petition for an order of sale or lease of realty in guardianship proceedings, some of the particular facts and reasons upon which an order of the court is demanded. New grounds are also provided upon which a petition may be granted, and the clerk instead of the judge is permitted to fix the time for hearing. In addition to the usual service of notice, the amendment authorizes service by publication on the nearest relatives of the ward. I am advised that this bill was passed by the Legislature in 1921 and that the then Governor refused to sign it. I have been furnished with no good reason why I should disagree with my predecessor. There seems no demand for a change in the law in the respects indicated.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Dennett, Senate Bill No. 190 ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 264 is returned herewith without my approval.

This bill amends sections 378, 430, 379(a), 379(b), 379(c), and 391 of the Code of Civil Procedure, relating to joinder of parties to civil actions. In my opinion the proposed changes are unnecessary and will in no manner assist in the administration of justice. The amendment to section 430, by eliminating the ground of demurrer by which a defect or misjoinder of parties may now be detected, makes it possible to improperly join the party in two cases and render judgment against him twice. If defects of parties defendant are to be disregarded it may be possible to obtain a judgment against a person when there is no cause of action against him.

The amendment to section 379(a) is ambiguous and can serve no other purpose than to multiply disputes and appeals over matters which do not affect the substantial rights of the litigants.

The amendment to section 379(b) permits the court by order to relieve a defendant who may have been improperly brought into the action. This suggests the question, Why should a defendant who has no interest be brought into the action at all?

These amendments can have no other purpose than to pave the way for an elaborate system of court rules. To this many members of the bar are opposed, and it should not be encouraged until there has been more discussion than has yet been had.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Dennett, Senate Bill No. 264 ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 265 is returned herewith without my approval.

This bill is a companion of Senate Bill No. 264 and is open to the same objections as that bill. Under the guise of simplifying the procedure it muddles it up and renders court rules necessary.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Dennett, Senate Bill No. 265 ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 266 is returned herewith without my approval.

This bill amends section 438 of the Code of Civil Procedure so as to permit a counterclaim to be set up in an action to foreclose a mortgage, and if enacted might produce the curious result of abating an action of foreclosure until the determina-

tion of the action based on the counterclaim, which in the discretion of the court may be tried separately. I can see no possible occasion for making this change, unless it be to muddle the prevailing procedure.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Dennett, Senate Bill No. 266 ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, April 25, 1923.

To the Senate.

Senate Bill No. 270 is herewith returned without my approval.

This bill amends section 1048 of the Code of Civil Procedure so as to permit the court, by order, to sever causes of action whenever that can be done without prejudice to a substantial right. It is evidently a device to relieve attorneys from the labor of carefully preparing pleadings which will state the cause of action they desire considered by the court, and is calculated to muddle up the present practice. I think the change is unnecessary and I am advised not generally desired by the bar.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Dennett, Senate Bill No. 270 ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, April 25, 1923.

To the Members of the Senate of the State of California.

GENTLEMEN: I return herewith Senate Bill No. 272 without my approval endorsed thereon.

I am advised by the Attorney General that the provisions of section 11 of the bill relative to the filing of secondary petitions by three or more of the proposed constituent units or districts, and the creation of a water conservation district by the State Irrigation Board upon the receipt of such secondary petitions, are of very doubtful validity, for the reason that adequate provision is not made for notice and hearing on the proposed action in such manner that the land owner may be heard and his objections considered before his land is subjected to the lien of a bond issue or an assessment to defray the cost of the proposed works.

For the reason stated I am withholding my approval from this bill. Time yet remains within which a new bill free of this objectionable feature may be introduced and passed.

It is, furthermore, suggested that Senate Bill No. 91, dealing with the same general subject may be made the means of evolving a plan acceptable to the various interests concerned in the formation of the proposed water conservation district.

Yours sincerely,

FRIEND WM. RICHARDSON, Governor.

On request of Senator Harris, Senate Bill No. 272 ordered on unfinished business file.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 722—An act to add two new sections to the Penal Code, to be numbered 54c, and 54d, relating to crimes against the elective franchise.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 722 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Iman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 502—An act to amend section 5 of an act entitled, "An act to regulate the practice of pharmacy in the State of California," approved March 20, 1905, as amended.

On motion of Senator Lewis, Senate Bill No. 502 was passed on file.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

In the absence of the author, Senate Bill No. 417 was passed on file.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

On motion of Senator Jones, Senate Bill No. 83 was passed on file.

Senate Bill No. 353—An act to amend section 1552 of the Political Code, relating to traveling expenses of county superintendents.

On motion of Senator Lewis, Senate Bill No. 353 was passed on file.

SENATOR SAMPLE IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Senator Sample of the fortieth district was called to the chair.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Swing moved to amend Senate Constitutional Amendment No. 23 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed resolution, strike out all that portion of the resolution following the period after the word "appointed" and insert in lieu thereof

the following: "The legislature shall provide by law for the selection of all officers and attaches of both houses and so far as advisable shall require such selection to be under the provisions of the law governing civil service.

Amendment adopted.

Senator Jones moved to amend Senate Constitutional Amendment No. 23 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 11, after the word "elected" strike out the semicolon and insert in lieu thereof a comma and the following: "to be paid monthly during the even numbered years and to be paid during the legislative session during the odd numbered years;"

Amendment adopted.

Resolution ordered to print, and engrossment.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or material used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act." approved March 20, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water

may be appropriated, declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights, declaring water rights forfeited under certain conditions, regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended.

On motion of Senator Nelson, Senate Bill No. 229 was passed on file.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 34.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 7, line 48, of the printed bill, strike out the word "six" and insert in lieu thereof the word "one."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 49, of the printed bill, strike out the word "months" and insert in lieu thereof the word "year."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 281—An act to amend section six of the "Workmen's Compensation, Insurance and Safety Act of 1919," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1294—An act to amend section 1454 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Arbuckle moved to refer Assembly Bill No. 891 to Senator West, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, after the period, insert the following: "Nothing in this act contained shall be construed as applying to persons maintaining scales in villages or country districts for weighing farm products for hire, where such person does not carry on regularly the business of weighing for hire and any person so maintaining any such scales for such purpose shall not be construed to be a "public weigh master" within the meaning of this act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 891, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator Arbuckle, adopted.

Bill ordered to print.

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1086 passed by the following vote:

AYES—Senators Allen, Boggs, Ereed, Burnett, Canepa, Creighton, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 915 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharky, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629a, relating to group insurance by life insurance companies and valuation of group insurance policies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 518 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharky, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 520 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Inman moved to reconsider the vote whereby Senate Bill No. 515 was passed.

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, and West—29.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, Dr., moved to refer Senate Bill No. 515 to Senator Nelson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the words "the same for food" and insert in lieu thereof the words "or dispose of the same for human consumption".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 515, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Gates, Dr., adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts.

Assembly Constitutional Amendment No. 2 passed on file.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned

by declaration of such board or governing body as a burial place for the human dead.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 124 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Assembly Bill No. 246 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Assembly Bill No. 1202 passed on file.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Assembly Bill No. 734 passed on file.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

Assembly Constitutional Amendment No. 6 passed on file.

RECESS.

At three o'clock and fifty minutes p. m., on motion of Senator Sample, the acting President declared the Senate at recess until the hour of four o'clock p.m., for the purpose of hearing former United States Senator Phelan.

RECONVENED.

At four o'clock p.m., the Senate reconvened.

Senator Sample in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read :

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

POWERS, Chairman.
RUSH.
HANDY.
HUGHES.
ALLEN.
McDONALD.
GATES, DR.
GRAY.
INGRAM.

Assembly Bill No. 1334 ordered on file for second reading.

ADJOURNMENT.

At four o'clock and five minutes p.m., on motion of Senator Breed, Senator Sample declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, April 26, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 25, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Arthur H. Breed, Jr., of Piedmont.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following students from Mt. Diablo Union High School of Concord, accompanied by Miss Rahill and Miss Broman:

Seniors—Marie Kraft, Florence Rule, James Osborn, Beatrice Tange, Raymond Frank, George Trelut, Joe Rosa, Annie Pacinni, Ida Peterson, Curtis Duncan, Leenie Brazil, Truman Bolster, Arthur Faria, Alfred Macchi, Ruth Miller, Rose Bisso, Louise Clarke, Albert Ough, Dorothy Stubbes, Alice Eggleston, Ellen Taylor, Leone Leslie, Warren Cunningham, Lorraine Nunez, Joe Enloe, John McNamara, Santana Regalia, John Fregulia, Lloyd Jackson, Nola Dillon, Dorothy Esterlin, and Mary Bolla. Freshmen—Henry Noia, Hazel Wong, Harold Golinda, Lucy Bancroft, Sharon Eichleberger, and George Stenger, Jr.

PETITIONS.

The following petitions were presented by Senator Ingram and ordered printed in the Journal:

ROUGH AND READY, April 18, 1923.

Senator Ingram.

DEAR SIR: I am taking the liberty to write you, asking that you use your influence against the boxing bill, prize fighting or any of those things which brutalize a State. I think I could sign very many names, but will sign a few.

Yours respectfully,

MRS. I. M. NILE,
And 5 others.

Also:

ROSEVILLE, April 22, 1923.

To the Senate of California.

HONORABLE GENTLEMEN: A large congregation assembled in the First Methodist Church of Roseville, California, almost unanimously adopted the following resolution which was ordered sent to your honorable body with the hopes that it may prove of much value in setting forth the conviction of many others of this community.

WHEREAS, A boxing bill permitting ten rounds to be enacted in the State of California has passed the Assembly; and,

WHEREAS, This form of brutal exhibition tends to the undermining of the moral life of the youth; and,

WHEREAS, The same has been suppressed in this State by former restrictions, with a view to eliminating prize-fighting, toward which the bill recently enacted tends, as well as fostering a sense of brutality; therefore, be it

Resolved, That we deplore the passage of this measure by the Assembly, and that we urgently request the Senate to register its disapproval of this measure.

Moved by Mr. G. W. White, seconded by Mr. E. G. Lawson; Thomas H. Mee, pastor, presiding.

THOMAS H. MEE.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 97—An act to amend section 1143 of the Penal Code, relating to fees of jurors;

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 204 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class:

Also: Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bills Nos. 423 and 1132 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 974—An act to amend section 19631 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith";

Also: Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class;

Also: Assembly Bill No. 1313—An act to amend section 4013 of the Political Code relating to county officers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bills Nos. 974, 1137 and 1313 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 662—An act transferring from the fund for additional land at the Preston School of Industry to the fund for the support of said institution—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

ALLEN, Chairman.

SAMPLE.

RUSH.

HART.

GODSIL.

GRAY.

CARR.

Senate Bill No. 662 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

ALLEN, Chairman.
SAMPLE.
GODSIL.
RUSSELL.
CROWLEY.
HART.
GRAY.
CARR.

Assembly Bill No. 1305 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734c, relating to the change of boundaries of high school districts—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of April, 1923, at eleven o'clock and thirty minutes a.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653aa to 653ax inclusive, and relating to non-profit cooperative associations with or without capital stock:

Also: Senate Bill No. 432—An act to amend sections 2, 3, 9, 11a, 12, 19, 20a and 20b of, and to add a new section to be numbered 9a, to an act, entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fifth day of April, 1923, at two o'clock and thirty minutes p.m.

GATES, DR., Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the Senate:

James Mulhall, Assistant Sergeant-at-Arms----- \$5 00 per day

Resolution read, and adopted.

Also:

Resolved, That the following named person be, and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrants for the said amount, and the Treasurer is directed to pay the same:

Thomas Conboy, Assistant Sergeant-at-Arms----- \$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Bennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—35.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Powers:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1195a of the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

Request referred to Committee on Rules.

By Senator Harris:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a state board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Request referred to Committee on Rules.

By Senator Osborne:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Request referred to Committee on Rules.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Harris to introduce a bill entitled—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydroelectric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties—has had the same

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Osborne to introduce a bill entitled—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. E., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced.

By Senator Osborne: Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Senate Bill No. 733 read first time, and referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 25, of the printed bill, after the word "to" insert the following: "the general county fund."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 26, of the printed bill, strike out the period and in lieu thereof insert the following: "; provided, however, that if the natural course of any highway or road to be improved by grading, regrading, paving, macadamizing, surfacing, repairing, or maintaining runs into or through any municipality and the cost of such improvement be charged to the county general fund, it shall be the duty of the county board of supervisors to improve in like manner (same width and materials, or equal thereto) such portion of said highway or road located within such municipality as may be designated by the mayor or other chief executive thereof and the county supervisor in whose district the highway or road is located, provided, that in case such chief executive and such supervisor shall not agree as to what portion of said highway or road shall be designated, then the chairman of the state highway commission shall designate the same and his judgment shall be final and conclusive."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 13—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title after the words "An act" and all of lines 2 and 3 and insert in lieu thereof the following: "to amend section three thousand two hundred forty-seven of the Political Code relating to preference on public contracts and furnishing supplies."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the figure "1" following the word "Section" and all of lines 2 to 21, inclusive, and insert in lieu thereof the following:

"Section three thousand two hundred forty seven of the Political Code is hereby amended to read as follows:

3247. Any person, committee, board, officer, or any other person charged with the purchase, or permitted or authorized to purchase supplies, goods, wares, merchandise, manufactures, or produce, for the use of the state, or of any of its institutions or officers, or for the use of any county or consolidated city and county, or city, or town, shall always, price, fitness, and quality equal, prefer such supplies, goods, wares, merchandise, manufactures, or produce as has been grown, manufactured, or produced in this state, and shall next prefer such as have been partially so manufactured, grown, or produced in this state. All state, county, city and county, city or town officers, all boards, commissions, or other persons charged with advertising for any such supplies, shall state in their advertisements that such preferences will be made. In any such advertisement no bid shall be asked for any article of a specific brand or mark, nor any patent apparatus or appliances, when such requirement would prevent proper competition on the part of dealers in other articles of equal value, utility, or merit; *provided*, that it shall be discretionary with all boards of supervisors, school boards, city councils, and all other public officers, boards and commissions, charged, or which may in the future be charged, under the law with the letting of contracts for public work, or with the construction of public bridges, buildings and other structures, or with the purchase of materials and supplies for any public use, to give such contracts and employment to, and purchase such materials and supplies from, persons and concerns manufacturing same in the State of California; *provided further*, that the bids of such persons or concerns, or the prices quoted by them, shall not exceed by more than five per cent the lowest bids or prices quoted by persons and concerns manufacturing the same elsewhere, and when in their opinion the public good will in any way be served thereby; *provided, however*, that no goods and material, shall be entitled to above preference in which the major portion of the work of manufacturing same shall be done outside the State of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 728—An act to amend section 67*b* of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 194 was passed on file.

Senate Bill No. 353—An act to amend section 1552 of the Political Code, relating to traveling expenses of county superintendents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 353 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Sharkey, Slater, and Swing—24.

NOES—Senators Chamberlin, Johnson, A. B., Rominger, and Sample—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution.

On motion of Senator Canepa Senate Bill No. 719 was passed on file.

RE-REFERENCE OF BILL.

Senator Slater moved that Senate Bill No. 502 be taken from the file, and be re-referred to the Committee on Public Health and Quarantine.

Senator Murphy seconded Senator Slater's motion.

Motion carried by a standing vote.

UNFINISHED BUSINESS—RECONSIDERATION OF ASSEMBLY BILL NUMBER EIGHTY-SIX.

Senator Murphy asked for and was granted unanimous consent to take up, at this time, Assembly Bill No. 86 for reconsidering the vote whereby Assembly Bill No. 86 was refused passage.

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private-employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or

filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Senators Boggs, Burnett, Canepa, Crowley, Dennett, Gates, Dr., Godsil, Harris, Hughes, Hurley, Ingram, Inman, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, and Slater—22.

NOES—Senators Allen, Arbuckle, Breed, Carr, Chamberlin, Creighton, Eden, Gates, E. J., Gray, Handy, Hart, Johnson, A. B., Johnson, M. B., Lyon, Rominger, Sample, Swing, and West—18.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sample moved to refer Senate Bill No. 198 to Senator Eden as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, after the word "to", strike out all of the remainder of line 17 and 18 and insert in lieu thereof the following: "Counties of the first, second, third, fourth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth class".

AMENDMENT NUMBER TWO.

On page 5, line 23, of the printed bill strike out the words "to the" and in line 24 strike out the words "sixteenth class inclusive" and insert in lieu thereof the following: "first, second, third, fourth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth class,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 198, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDEN, Special Committee.

Report read, and on motion of Senator Sample adopted.

Bill ordered to print, and re-engrossment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer Senate Bill No. 198 to Senator Canepa as a Special Committee of One, to amend as follows:

On page 1, line 4, of the title, strike out the words "two hundred fourteen" and the comma following.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 198, with instructions to amend, respectfully reports the same back, amended as per instructions.

CANEPa, Special Committee.

Report read, and on motion of Senator Carr adopted.
Bill ordered to print, and re-engrossment.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer Senate Bill No. 198 to Senator Canepa as a Special Committee of One, to amend as follows:

On page 3, line 1, of the printed bill, strike out the word "five thou" and the dash and on line 2 strike out the word "sand" and insert in lieu thereof "forty-three thousand five hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 198, with instructions to amend, respectfully reports the same back, amended as per instructions.

CANEPa, Special Committee.

Report read, and on motion of Senator Carr adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

On motion of Senator Crowley, Senate Bill No. 721 was passed on file.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Members of the Senate of the State of California.

GENTLEMEN: Senate Bill No. 695, making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years is, in my opinion, an urgency measure and this bill is an emergency bill, and I therefore recommend its passage.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years—had had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—16.

GATES, E. J., Chairman.

Senate Bill No. 695 ordered on file for second reading.

RECESS.

At one o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and fifteen minutes p.m.

RECONVENED.

At two o'clock and fifteen minutes p.m., the Senate reconvened. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 354—An act to add a new section to be numbered 15a to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, relating to teachers employed at the southern branch of the University of California and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By R. A. WAESTMAN, Assistant Clerk.

In the absence of Senator Gates, E. J., Senate Bill No. 354 ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 25 passed Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 335 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 67, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenue, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 306 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended;

Also: Senate Bill No. 313—An act to reserve from sale certain state land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof;

Also: Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions;

Also: Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 435, 313, 416 and 706 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays;

Also: Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also: Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class;

Also: Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1038 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 783 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1243 read first time, and referred to Committee on County Government.

Assembly Bill No. 407 read first time, and referred to Committee on County Government.

Assembly Bill No. 1316 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California;

Also: Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners;

Also: Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation;

Also: Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto;

Also: Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1121 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 795 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 142 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1219 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 615 read first time, and referred to Committee on Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1056—An act to amend section 303 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public-school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act;

Also: Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1056 read first time, and referred to Committee on Corporations.

Assembly Bill No. 52 read first time, and referred to Committee on County Government.

Assembly Bill No. 354 read first time, and referred to Committee on Education.

Assembly Bill No. 1000 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 372 read first time, and referred to Committee on County Government.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies;

Also: Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district;

Also: Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class;

Also: Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041g, relating to powers of supervisors;

Also: Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1309 read first time, and referred to Committee on Insurance.

Assembly Bill No. 190 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1310 read first time, and referred to Committee on County Government.

Assembly Bill No. 881 read first time, and referred to Committee on County Government.

Assembly Bill No. 1311 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto, numbered 2a, 2b, 2c, 4a, 4b, 5a, 5b, 5c, 5d, 5e, 8a, 8b, 8c, 9a, 10a, 10b, 10c, 11a, 11b, 11c and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation:

Also: Assembly Bill No. 817—An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 575 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 817 read first time, and referred to Committee on County Government.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633e, concerning the appointment by insurance companies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor:

Also: Assembly Bill No. 1315—An act authorizing the Board of Trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919;

Also: Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1270 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1315 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 921 read first time, and referred to Committee on Contingent Expenses.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 25 adopted Assembly Joint Resolution No. 10—Relating to protection of forests from fire.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Joint Resolution No. 10 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Assembly Bill No. 250, recommending the appointment of a Free Conference Committee, and the following Assemblymen were appointed: Erb, Graves, and Burns, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President pro tempore announced the appointment of Senators Murphy, Hart, and Breed, as a Committee on Free Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 250.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 40—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, 4236n, 4236o, 4236p inclusive of the Political Code, and to add a new section to said code to be numbered 4236q, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

SENATE REFUSES TO RECEDE.

The question being, "Shall the Senate recede from Senate amendments to Assembly Bill No. 40?"

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 40 by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Burnett, Creighton, Crowley, Gates, Dr., Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, and West—22.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tempore announced the appointment of Senators Murphy, Ingram and Sharkey, as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 40.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Senate of the State of California.

I am returning herewith Senate Bill No. 443 without my approval.

The law now provides that counties shall receive from the State \$30 per pupil per average daily attendance. This bill attempts to cut down the payment to counties if the counties do not raise a similar amount. While on its face this bill looks like an attempt to reduce county allowances, it is really a cunningly devised plan to force the counties to spend \$30 a pupil (in addition to the State's \$30) regardless of whether it is needed or not. This bill is sponsored by the Superintendent of Public Instruction and is in line with his policy of piling the tax load upon the people and preventing county and local school authorities from economizing. This bill is also of doubtful constitutionality.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rominger, Sharkey, Slater, and West—24.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Senate of the State of California.

I am returning herewith Senate Bill No. 598 without my approval.

The Attorney General informs me that this bill is unconstitutional as the matter in sections 2 and 3 is not mentioned in the title.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Lyon, Senate Bill No. 598 was ordered on unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Senate of the State of California.

I am returning herewith Senate Bill No. 517 without my approval.

The Attorney General calls attention to the fact that this bill is an amendment to chapter 573 of the Statutes of 1919, and should have been an amendment to chapter 719 of the Statutes of 1921, which repealed the 1919 statute.

The bill is approved by the Director of Agriculture and appears to be without objection. It is returned in time so a corrected bill can be adopted.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rominger, Sharkey, Slater, and West—25.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Senate of the State of California.

CONCURRENCE. I hereby transmit herewith the printed Senate Bill No. 152.

A proposed section 172 of the Code of Civil Procedure provides that no convict shall suffer a full pardon until he has first received the advice of the court. This bill amends the statute so as to permit persons of the peace, peace officers or other judges who may possibly have doubts as to how such persons should be treated, to refer such persons to the court for a decision. I am sure the Senate will find this bill to be of great benefit to the State and to the courts. It is respectfully recommended.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Lyon, Senate Bill No. 152 ordered on unfinished business file.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, APRIL 26, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Oakland, a memorial submitted to the Senate of Assembly, signed and passed and certified by the qualified electors of said city at a conference held at the city hall on the fourteenth day of April, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

CARR, Chairman.
LYON.
LEWIS.
SHARKEY.
HURLEY.
GOLDIE.
GRAY.
CHAMBERLIN.
ALLEN.

Senate Concurrent Resolution No. 21 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 22—Approving an amendment to the charter of the city of Los Angeles, signed and passed by the same qualified electors, who respectfully reports the same back, and recommends that it be adopted.

(Signed out)

CARR, Chairman.
ALLEN.
CHAMBERLIN.
GRAY.
GOLDIE.
SHARKEY.
HURLEY.
LYON.
LEWIS.

Senate Concurrent Resolution No. 22 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 23—Relative to "Approving 14 amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, passed by the qualified electors of said city of Long Beach at a special municipal election held thereon on the fourteenth day of April, 1923"—has had the

same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

CARR, Chairman.
ALLEN.
CHAMBERLIN.
GRAY.
GODSIL.
HURLEY.
SHARKEY.
LYON.
LEWIS.

Senate Concurrent Resolution No. 23 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

CARR, Chairman.
LEWIS.
SHARKEY.
LYON.
GODSIL.
HURLEY.
GRAY.
CHAMBERLIN.
ALLEN.

Assembly Concurrent Resolution No. 22 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Assembly Bill No. 1323 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 23—Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Senator Rominger asked for and was granted unanimous consent to take up for consideration at this time Senate Concurrent Resolution No. 23.

Senate Concurrent Resolution No. 23—Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, and West—24.

NOES—None.

Senate Concurrent Resolution No. 23 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

In the absence of the author, Senate Bill No. 417 was passed on file.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram Senate Bill No. 409 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

In the absence of the author, Senate Bill No. 83 was passed on file.

Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by amending section 28 of said act, and by repealing section 32½ of said act.

In the absence of the author, Senate Bill No. 39 was passed on file.

Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing

for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended.

In the absence of the author, Senate Bill No. 478 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 655—An act to amend section 10 of an act entitled "Improvement Act of 1911."

In the absence of the author, Senate Bill No. 655 was passed on file.

Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise.

business and property of corporations, and protecting minority holders in said corporation.

In the absence of the author, Senate Bill No. 287 was passed on file.

Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax.

On motion of Senator Sharkey, Senate Bill No. 442 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

In the absence of the author, Senate Bill No. 209 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 97—An act to amend section 43007 of the Political Code, relating to fees of jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 97 passed by the following vote:

AYES—Senators Allen, Blood, Burnett, Chandler, Crockett, Crumley, Egan, Gates, Pease, Gray, Hatcher, Hart, Hedges, Johnson, A. B., Johnson, M. B., Lewis, Manning, Nelson, Osborne, Thomas, Rumsiger, Starnes, Sutor, Swing, and West—25.
NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 229—An act to amend section 19 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the

full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

In the absence of the author, Senate Bill No. 229 was ordered passed on the file.

Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 727 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rush, Sharkey, Slater, and Swing—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 429—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 429 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

In the absence of the author, Senate Bill No. 603 was passed on file.

Senate Bill No. 195—An act to repeal sections 367*c*, 367*d*, 499*b* and 499*c* of the Penal Code, relating to the use and unlawful taking of vehicles, and the duty of drivers of vehicles and to the driving of vehicles by drivers while they are intoxicated.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 195 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

In the absence of the author, Senate Constitutional Amendment No. 23 was ordered passed on file.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 210—An act to amend section 360*e* of the Political Code, relating to records.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1107—An act to amend an act defining the term, lowest responsible bidder, on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or state improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the state in relation to erections and buildings," approved March 28, 1876, approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

After the words "An act" in the first line of the title of the printed bill strike out the remainder of the title and insert in lieu thereof the following: "defining the term, lowest responsible bidder."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after the word "of" following the word "consist" strike out the word "five" and insert the following: "the chief of the division of animal industry, California department of agriculture, and four".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, after the first word "and" strike out the word "two" and in lieu thereof insert the word "one."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 24, of the printed bill, after "California" insert the words "except as hereinbefore provided".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 30, of the printed bill, after the word "fund" strike out the words "for the enforcement of this act," and insert the words "to be used to secure evidence against and prosecute violators of this act".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1250—An act to amend section 681a of the Code of Civil Procedure, relating to stay of execution.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 303—An act to amend sections 671 and 674 of the Code of Civil Procedure and to repeal section 671a of said code, relating to judgment liens and transcripts of judgments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the state, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 299—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out the period following the word "trial" on line 15 and insert in lieu thereof a semicolon and the following: "The grand jury on the demand of the district attorney whenever criminal causes are being investigated before them must appoint an official stenographic reporter to be sworn and to report the testimony that may be given in such causes in short hand, and to transcribe the same in all cases where an indictment is returned."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, after the word "county", insert the following: "provided, however, nothing in this act shall apply to official court reporters of any police court of any city and county of the first class."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out the comma after the word "force".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, strike out the word "crime" and insert in lieu thereof the word "crimes".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, after the word "committing" insert the words "any of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, strike out the word "crime" and insert in lieu thereof the word "crimes".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 9 and 10, of the printed bill, strike out the words "or where the said crime is committed through the infliction of great bodily injury or torture" and insert in lieu thereof the following: "or where, in the perpetration of any such crimes, great bodily injury or torture is inflicted."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the words "as specified in section fifteen" and insert in lieu thereof the following: "retained by his respective clients to collect or to solicit or obtain payment of such clients claims in the usual course of his practice of his profession, provided such attorney does not advertise himself as an individual or agency for the special purpose of collecting accounts, banks, non-profit cooperative associations, abstract companies, doing an escrow business."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 9, of the printed bill, strike out the words "twenty-five" and insert in lieu thereof the following word: "twelve".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 10, of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill strike out all of section 15, that is including all of lines 8 to 15, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 1 to 13, both inclusive, of the title of the printed bill as amended April 20, 1923, and in lieu thereof insert the following:

"An act authorizing and directing the California highway commission to lay out and acquire a right of way or rights of way for a highway or highways from the county line of the city and county of San Francisco, in, to and through San Mateo county, and to construct the same at a location or locations to be selected by said commission; declaring and establishing the same as a state highway or state highways; authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway or highways; authorizing the California highway commission to accept said contributed money or property and to place the same and any other unappropriated money which may come under the control of said California highway commission in the general fund of the California highway commission, which fund is hereby created."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill as amended April 20, 1923, strike out all of line 1 following the period, all of lines 2 to 8, both inclusive, and insert in lieu thereof the following:

"The California highway commission is hereby authorized and directed to lay out and construct a highway or highways from the county line separating the city and county of San Francisco from the county of San Mateo, in, to and through the county of San Mateo, at such location or locations as the said California highway commission may select. The said highway or highways thus laid out and constructed are hereby declared and established as a state highway or state highways."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill as amended April 20, 1923, before the comma preceding the word "and" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 4, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 5, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 7, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 12, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 13, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways run or".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 17, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, lines 20 and 21, of the printed bill, as amended April 20, 1923, after the words "said highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 29, of the printed bill, as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 33, of the printed bill, as amended April 20, 1923, after the word "highway" insert the words "or highways".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 42, of the printed bill, as amended April 20, 1923, after the comma following the word "highway" insert the following: "or highways, as laid out, located and constructed in the manner herein prescribed."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties

for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 891 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts.

Assembly Constitutional Amendment No. 2 passed on file.

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Assembly Bill No. 246 passed on file.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Assembly Bill No. 734 passed on file.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

Assembly Constitutional Amendment No. 6 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 3½.

Assembly Bill No. 401 passed on file.

Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 369 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rush, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 683 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Murphy, Osborne, Powers, Rush, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CANEPA IN THE CHAIR.

At three o'clock and thirty-five minutes p.m., Senator Canepa of the eighteenth district was called to the chair.

Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1202 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gray, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rush, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Assembly Bill No. 1288 passed on file.

Assembly Bill No. 281—An act to amend section 6 of the "Workmen's Compensation, Insurance and Safety Act of 1919," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 281 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more.

Assembly Bill No. 341 passed on file.

Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 722 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

Assembly Bill No. 1291 passed on file.

Assembly Bill No. 1294—An act to amend section 1454 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1294 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 325 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Sharkey, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300) for postage, the same to be payable out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same.

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Canepa, Chamberlin, Creighton, Crowley, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Murphy, Powers, Rush, Sharkey, Slater, Swing, and West—22.

NOES—None.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 1316 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein:

Also: Assembly Bill No. 817—An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bills Nos. 372 and 817 ordered on file for second reading.

ADJOURNMENT.

At four o'clock and five minutes p.m., on motion of Senator Breed, Senator Canepa declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Friday, April 27, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 26, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sample, the privilege of the floor of the Senate Chamber for the day was unanimously extended to C. H. Anthony of San Diego.

LEAVE OF ABSENCE.

Senator Harris was, on motion of Senator Dennett, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a conference committee on Assembly Bill No. 40 the following Assemblymen: Johnston, Stow, and Pedrotti, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 23 Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the nineteenth day of April, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Concurrent Resolution No. 23 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 26 passed the following:

Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond:

Also: Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest; certificate of service:

Also: Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment; commitment, form of:

Also: Assembly Bill No. 434—An act to repeal section 1617 $\frac{1}{2}$ of the Political Code relating to the selling or leasing of school property unoccupied by any public school; to add a new section to the Political Code to be numbered 1617 $\frac{1}{2}$ relating to the selling or leasing of any real property upon which no public school is being maintained:

Also: Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts:

Also: Assembly Bill No. 472—An act to amend section 1588 of the Political Code relating to the appointment and election of union and joint union elementary school trustees:

Also: Assembly Bill No. 473—An act to amend sections 1589, 1589a, 1590, 1591, 1591a of the Political Code, and to repeal section 1589b of the Political Code, relating to union elementary school districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 618 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 629 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 630 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 434 read first time, and referred to Committee on Education.

Assembly Bill No. 471 read first time, and referred to Committee on Education.

Assembly Bill No. 472 read first time, and referred to Committee on Education.

Assembly Bill No. 473 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 26 passed the following:

Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act;

Also: Assembly Bill No. 796—An act to amend section 4300a of the Political Code, relating to the fees of the county clerk;

Also: Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry: to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913;

Also: Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 84 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 796 read first time, and referred to Committee on County Government.

Assembly Bill No. 797 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 798 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 800 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 26 passed the following:

Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to relate to institutions of industry;

Also: Assembly Bill No. 1290—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 815 read first time, and referred to Committee on County Government.

Assembly Bill No. 1299 read first time, and referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county;

Also: Senate Bill No. 13—An act to amend section 3247 of the Political Code, relating to preference on public contracts and furnishing supplies;

Also: Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers;

Also: Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor;

Also: Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof;

Also: Senate Bill No. 728—An act to amend section 67b of the Code of Civil Procedure, relating to sessions of the superior court;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923;

Also: Senate Concurrent Resolution No. 22—Approving amendment to the charter of the county of Los Angeles, State of California;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21, 25, 27, 29, 30, 31, 32, 38, 39, 45, and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 24, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add six new sections to be numbered 2a, 14a, 14b, 21a, 21b, 22a and 29a;

Also: Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the

management, use and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

OSBORNE, Chairman.

Assembly Bill No. 196 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 715—An act creating a commission to provide for the survey of a ship canal from Suisun Bay to the city of Sacramento and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—9; absent—2.

OSBORNE, Chairman.

Senate Bill No. 715 re-referred to Committee on Finance.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—7; absent—6.

NELSON, Chairman.

Assembly Bill No. 212 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 732—An act to amend section 1195a of the Political Code relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

SLATER, Chairman.

Senate Bill No. 732 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to boards of school trustees and city boards of education—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—15; committee vote: Ayes—10; absent—5.

BOGGS, Vice Chairman.

Senate Bill No. 536 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

ROMINGER, Chairman.

Senate Bill No. 507 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 862—An act to amend section 6256 of the Penal Code, relating to protection of deer—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

ROMINGER, Chairman.

Assembly Bill No. 862 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 324—An act to amend section 6284 of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—14; absent—1.

ROMINGER, Chairman.

Assembly Bill No. 324 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a state board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

DENNETT, Chairman.

HARRIS.

POWERS.

HANDY.

HUGHES.

Senate Bill No. 731 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools:

Also: Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608d to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—10; absent—5.

BOGGS, Vice Chairman.

Assembly Bills Nos. 742 and 331 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 146—An act to add a new section to be numbered section 54 to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the

development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith," approved May 27, 1919," as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

BOGGS, Chairman.

Senate Bill No. 146 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries of officers and expenses of officers in counties of the fifth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the words "of officers" and in lieu thereof insert ", fees"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 4, add the following:

"1. The county clerk, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk one chief deputy who shall receive a salary of two thousand seven hundred dollars per annum; one deputy county clerk who shall be the registrar of voters who shall receive two thousand two hundred eighty dollars per annum; one deputy who shall be assistant registrar of voters who shall receive one thousand six hundred twenty dollars per annum; four court clerks who shall receive salaries of two thousand one hundred dollars per annum; one index clerk who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of one thousand nine hundred twenty dollars per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; one copyist who shall receive a salary of one thousand five hundred dollars per annum; and a deputy or deputies not to exceed five, for the purpose of registering electors, to be paid not to exceed five dollars per diem each; *provided*, that such deputies shall not be employed except during a year when a general election is to be held throughout the state, and not more than one deputy for each precinct for the purpose of registering electors during said year of the general election, who shall be paid ten cents per name for each person legally registered by them; the salaries and compensation of each of said deputies and clerks to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as the other county officials are paid.

2. The sheriff, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed the sheriff one undersheriff whose salary is hereby fixed at the sum of two thousand seven hundred dollars per annum; and the following deputies and employees: One deputy who shall be head jailer, and who shall receive a salary of two thousand one hundred dollars per annum; one deputy who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of one thousand six hundred twenty dollars per annum; two deputies who shall receive salaries of two thousand one hundred dollars each per annum; four deputies who shall receive salaries of one thousand eight hundred dollars each per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; one bookkeeper who shall receive a salary of one thousand eight hundred dollars per annum; six deputies who shall be turnkeys at the jail whose salaries shall be one thousand six hundred twenty dollars each per annum, but no more turnkeys are to be employed than are absolutely

necessary to handle the requirements of the jail: such country deputies as may be necessary to properly administer the duties of said office at a compensation not to exceed six dollars and fifty cents per diem, but not more than three thousand six hundred dollars shall be paid to all such deputies in any one year: in counties of this class there shall be a matron of the county jail, and at the discretion of the sheriff an assistant matron, each to be appointed by the sheriff and who, under the direction of the sheriff, shall have charge of female prisoners in the county jail, and who shall receive salaries of one thousand five hundred dollars per annum and three hundred dollars per annum, respectively, to be paid by the county in monthly installments at the same time, and in the same manner, and out of the same fund, as is the salary of the sheriff. In counties of this class the sheriff shall receive for his own use the fees, mileage and compensations provided by statute, and he shall be allowed by the board of supervisors his actual necessary expenses for pursuing criminals or for transacting business, and paid as other county charges are paid.

3. The recorder, four thousand twenty dollars per annum: *provided*, that in counties of this class there shall be and there is hereby allowed the recorder the following deputies and copyists who shall be appointed by the recorder of said county, and shall be paid as follows: One chief deputy who shall receive two thousand four hundred dollars per annum; one deputy who shall receive a salary of two thousand one hundred dollars per annum; three deputies who shall receive salaries of one thousand eight hundred dollars each per annum; one deputy who shall receive a salary of one thousand two hundred dollars per annum; and as many copyists as may be required, who shall receive as compensation the sum of seven cents per folio for recording all instruments or notices except maps and plats, and for copies of any records, seven cents per folio.

4. The auditor, four thousand twenty dollars per annum: *provided*, that there is hereby allowed to the auditor the following deputies: One chief deputy who shall receive a salary of two thousand seven hundred dollars per annum; two deputies who shall receive salaries of two thousand one hundred dollars each per annum; one deputy who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of one thousand six hundred eighty dollars per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; and five additional deputies at a salary of five dollars per day each, for each day employed for a period not to exceed one hundred fifty-six days in any one year: *provided, further*, that in counties of this class for bringing records down to date in any office, when the work of said office has not been brought down to date, and was in such condition when the present incumbent was inducted into office, the board of supervisors may authorize said incumbent to perform the labors that should have been performed by his predecessors in office and for that purpose may authorize said incumbent to employ special clerical help, at a compensation to be fixed by the board of supervisors, at so much per diem: *provided*, that the provisions herein shall apply only to work that should have been done by the incumbent's predecessor in office.

5. The treasurer, four thousand twenty dollars per annum: *provided*, that in counties of this class there shall be and there hereby is allowed to the treasurer one deputy who shall receive a salary of two thousand seven hundred dollars per annum; and one deputy who shall receive a salary of two thousand one hundred dollars per annum.

6. The tax collector, four thousand twenty dollars per annum: one chief deputy who shall receive a salary of two thousand seven hundred dollars per annum; three deputies who shall receive salaries of two thousand one hundred dollars each per annum; two deputies who shall receive salaries of one thousand eight hundred dollars each per annum; a stenographer who shall receive a salary of one thousand five hundred dollars per annum; one deputy for a period not to exceed six months in any one calendar year, who shall receive a salary of one hundred thirty-five dollars per month; fifteen additional clerks at a salary of five dollars per day each, for each day employed, for a period not to exceed one hundred fifty-six days in any one year.

7. The assessor, four thousand twenty dollars per annum: *provided*, that in counties of this class there shall be, and there hereby is allowed to the assessor one chief deputy who shall receive a salary of two thousand seven hundred dollars per annum; one deputy who shall receive a salary of two thousand one hundred dollars per annum; two deputies who shall receive salaries of one thousand eight hundred dollars each per annum; two deputies who shall receive salaries of one thousand six hundred twenty dollars each, per annum; two deputies for a period not exceeding six months in any one year at salaries of one hundred fifty dollars per month each; one deputy for a period not exceeding five months in any one year at a salary of one hundred fifty dollars per month; two deputies for a period not exceeding four months in any one year at salaries of one hundred dollars each, per month; six deputies for a period not exceeding one hundred four days each in any one year, whose per diem shall be five dollars each when actually employed. *It is further provided*, that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall the assessor receive any compensation for making out the military roll of persons returned to him as subject to military duty as provided by section one thousand nine hundred one of the Political Code. *It is further provided*, that in counties of this class, in addition to the deputies already allowed, there

shall be and is hereby allowed to the assessor, twenty-six deputies who shall receive salaries of five dollars per day each, for a period not exceeding seventy-eight days in any one year. *It is further provided*, that in counties of this class the assessor shall be allowed his traveling expenses in performing duties outside his office, said expenses, however, not to exceed more than one hundred fifty dollars in any one year.

8. The district attorney, five thousand dollars per annum; also one assistant district attorney, who shall receive a salary of three thousand six hundred dollars per annum; two deputy district attorneys who shall receive salaries of three thousand dollars each, per annum; one deputy district attorney who shall receive a salary of two thousand seven hundred dollars per annum; one deputy district attorney who shall receive a salary of two thousand four hundred dollars per annum; one stenographer who shall receive a salary of one thousand eight hundred dollars per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; and a detective who shall receive a salary of two thousand one hundred dollars per annum. Neither the district attorney nor any of his assistants or deputies shall engage in the private practice of law nor shall they be associated directly or indirectly with any lawyer or firm as such in private practice but each shall devote his entire time to the services of the county.

9. The superintendent of public schools, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the superintendent of public schools, one assistant superintendent who shall receive a salary of two thousand four hundred dollars per annum; and one bookkeeper who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of one thousand eight hundred dollars per annum; one field assistant who shall receive two thousand four hundred dollars per annum; and one field deputy who shall receive a salary of one thousand eight hundred dollars per annum. *It is further provided*, that in counties of this class, the county school superintendent, his field assistant, and his field deputy shall receive their actual and necessary travelling expenses for visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools, office of field assistant to the superintendent of schools, and the office of field deputy of the superintendent of schools, the claims for such expenses to be subject to the approval of the board of supervisors.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The coroner, two thousand four hundred dollars per annum, and in addition thereto the board of supervisors shall allow the coroner his actual travelling expenses and fifteen cents for each mile travelled by him when he provides his conveyance in the performance of his official duties. In counties of this class there shall be and there is hereby allowed the coroner, one autopsy surgeon, who shall receive a salary of one thousand five hundred dollars per annum, and fifteen cents for each mile travelled when he provides his own conveyance in the performance of his official duties. The sheriff shall act as summoning officer for the coroner and shall serve all processes requested by him.

12. The surveyor, four thousand twenty dollars per annum; also one chief deputy who shall receive a salary of two thousand seven hundred dollars per annum; one deputy who shall receive a salary of two thousand four hundred dollars per annum; one deputy who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of one thousand five hundred dollars per annum; one file clerk and stenographer who shall receive a salary of one thousand five hundred dollars per annum; and such other assistants as may be necessary for field work, who shall receive a compensation of five dollars per diem and expenses when working in the field; *provided*, that in counties of this class the surveyor shall be allowed his actual travelling expenses in performing duties outside of his office.

13. For the purpose of regulating the compensation of the justices of the peace and constables, townships in counties of this class are hereby classified as follows: Townships having a population of thirty thousand or more shall belong to and be known as townships of the first class; townships having a population less than thirty thousand shall belong to and be known as townships of the second class.

14. In counties of this class, justices of the peace shall receive the following compensation, and all such salaries shall be paid monthly in the same manner as the salaries of county officers are paid, viz:

In townships of the first class, three thousand six hundred dollars per annum each.

In townships of the second class, seven hundred twenty dollars per annum.

Such salaries shall be as full compensation for all services rendered by them in both civil and criminal cases. All fees chargeable and collectible by justices of the peace in civil and criminal cases for service rendered by them shall be paid monthly into the county treasury.

In townships of the first class the board of supervisors of counties of this class shall furnish the justices of the peace suitable courtrooms.

In townships of the first class, in counties of this class, there shall be two justices of the peace and the said offices are hereby created. In all other townships in counties of this class there shall be one justice of the peace; *provided*, that in townships of the first class, in counties of this class, the justices of the peace shall each be allowed a clerk who shall receive as his compensation a salary of one thousand five hundred dollars per annum.

15. In counties of this class constables shall receive the following compensation, and all such salaries shall be paid monthly in the same manner as the salaries of county officers are paid, viz:

In townships of the first class in all criminal cases, in lieu of fees now allowed by law, one thousand eight hundred dollars per annum.

In townships of the second class in all criminal cases, in lieu of fees now allowed by law, seven hundred twenty dollars per annum.

In all townships in counties of this class the constables shall be allowed in addition to the compensation above set forth all fees in civil cases as are now or may hereafter be allowed by law, and actual travelling expenses only in lieu of mileage for taking prisoners to the county jail.

In townships of the first class, in counties of this class, the board of supervisors shall furnish the constables' offices with necessary and proper furniture for each of said constables.

16. Each member of the board of supervisors, three thousand dollars per annum and fifteen cents per mile in going from his residence to the county seat at each meeting of the board. This shall cover all his services as supervisor and road commissioner; *provided*, that in counties of this class each member of the board of supervisors shall be allowed his actual expenses in the performance of his official duties, the said expenses, however, for each member of the board not to exceed the sum of five hundred dollars in any one year.

17. The county traffic officer, two thousand one hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer nine deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of two thousand one hundred dollars per annum, which shall be paid by said county in monthly installments at the same time, in the same manner, and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, for said traffic officer and his said deputies and shall pay all of the expense of the upkeep of said machines, and shall pay all traveling and other expenses necessarily incurred by such traffic officer and such deputies when away from the county seat and engaged in the pursuit of their duty. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever such office of county traffic officer is created by law.

18. The board of supervisors shall have the power to appoint two road inspectors at a salary of one hundred seventy-five dollars per month each.

19. The deputies, clerks, copyists and employees mentioned in this section are hereby allowed to the respective county officers named, who shall appoint the same, and said deputies, clerks, copyists and employees shall be paid by the counties of this class in monthly installments, at the same time, in the same manner and out of the same fund as the salaries of the county officers are paid.

20. Trial jurors in all criminal cases tried in the superior court, and grand jurors shall receive three dollars per day for each day's attendance while engaged in the performance of the duties required of them; trial jurors in all cases tried in the justice court or police court shall receive two dollars per day for each day's attendance while engaged in the performance of the duties required of them; and in addition thereto the jurors herein mentioned shall receive for each mile actually traveled, in going only, while acting as such juror fifteen cents; and the judge or justice of said court shall make an order directing the auditor to draw his warrant on the treasurer in favor of such juror for such per diem and mileage and the treasurer shall pay the same.

21. If any section, subdivision, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subdivisions, sentences, clauses, or phrases be declared unconstitutional.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State Prison at San Quentin for the seventy-third and seventy-fourth fiscal years.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing 33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

On motion of Senator Godsil, Senate Bill No. 603 was passed on file.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

On motion of Senator Crowley, Senate Bill No. 721 was passed on file.

Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by amending section 28 of said act, and by repealing section 32½ of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 39 passed by the following vote:

AYES—Senators Allen, Atbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional." approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 478 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

Senator Gates, E. J., asked for and was granted unanimous consent to have Senate Bill No. 655 taken from the file and re-referred to Committee on Municipal Corporations.

Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

On motion of Senator Carr, Senate Bill No. 287 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, M. B., moved to refer Senate Bill No. 444 to Senator Ingram as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 36, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following reading matter: "*provided*, that said documents must be issued upon the regular forms used by the state board of education and must bear the signatures of the secretary and the president of said board".

AMENDMENT NUMBER TWO.

On page 4, line 38, of the printed bill, insert between the words "to" and "certificates", the following reading matter: "life diplomas,".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, beginning with line 40, strike out the semicolon and all reading matter down to and including the word "board" in line 42.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 444, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Special Committee.

Report read, and on motion of Senator Johnson, M. B., adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, M. B., moved to refer Senate Bill No. 446 to Senator Ingram, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, immediately before the word "one", insert the word "and".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, beginning with the comma and the word "and", strike out all reading matter down to and including the word "sections" in line 5, and insert in lieu thereof the following reading matter: "of the Political Code; and to repeal sections one thousand seven hundred seventy-four."

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, immediately after the word "superintendent", insert the words "of schools".

AMENDMENT NUMBER FOUR.

On page 3, line 24, of the printed bill, after the word "subject", insert the words "or subjects".

AMENDMENT NUMBER FIVE.

On page 4, line 18, of the printed bill, beginning with the word "Nothing", strike out all reading matter down to and including the word "repealed" in line 23, and insert in lieu thereof the following reading matter: "All certificates issued on credentials must be of the type, of the grade, and in the subjects specified in the original documents upon which they are granted".

AMENDMENT NUMBER SIX.

On page 4, line 26, of the printed bill, beginning with the word "County", strike out all reading matter down to and including the section number "1774", in line 34.

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, immediately following line 2, insert the following reading matter:

"Third—Nothing in this section of the law shall be interpreted in such manner as to disqualify any holder of a legal teachers certificate heretofore issued to serve in the public schools of the State of California during the life of said certificate and in the capacity authorized therein, or authorized by any previous law heretofore or hereby repealed.

SEC. 5. Section one thousand seven hundred seventy-four of the Political Code is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 446, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Special Committee.

Report read, and on motion of Senator Johnson, M. B., adopted.

Bill ordered to print, and re-engrossment.

Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 21 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hanly, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.
NOES—None.

Senate Concurrent Resolution No. 21 ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 22—Approving amendment to the charter of the county of Los Angeles, State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 22 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Innan, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Concurrent Resolution No. 22 ordered transmitted to the Assembly.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, W. F., Senate Bill No. 252 was passed on file.

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the

bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Chamberlin moved to refer Senate Bill No. 229 to Senator Rominger as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, lines 4, 5 and 6, of the printed bill, strike out the words "which action or proceeding was commenced prior to the sixteenth day of June, 1913".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 229, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and on motion of Senator Nelson adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Senate Bill No. 229 to Senator Osborne, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 20, of the printed bill, strike out the balance of line 20 following the word "necessary", all of line 21 and line 22 down to and including the word "stock," and insert in lieu thereof the words "to supply his riparian rights."

ROLL CALL DEMANDED.

A roll call was demanded by Senators Inman, Nelson and Dennett on motion to refer to Special Committee of One to amend Senate Bill No. 229.

The roll was called, and the motion lost by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Gates, Dr., Gates, E. J., Gray, Hurley, Osborne, Powers, Rush, Sample, Sharkey, Swing, and West—15.

NOES—Senators Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, and Slater—23.

Senate Bill No. 229 ordered to print, and re-engrossment.

Senate Bill No. 194—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Senator Crowley asked for and was granted unanimous consent to have Senate Bill No. 194 transferred to unfinished business file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 219 and 246 of the Code of Civil Procedure, relating to jurors—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 198, heretofore set as a special order for twelve o'clock p.m., the same was taken up for consideration.

Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors.

SENATOR GATES, E. J., IN THE CHAIR.

At twelve o'clock and thirty-five minutes p.m., Senator Gates, E. J., of the thirty-fifth district was called to the chair.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 198 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and Swing—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 27, 1923

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 40—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, 4236n, 4236o, 4236p, inclusive, of the Political Code, and to add a new section to said code to be numbered 4236q, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—report that we have met a like committee of the Assembly, consisting of Assemblymen Johnston, Pedrotti, and Stow, and we report that the Committee on Conference is unable to agree, and recommend that a Committee on Free Conference be appointed.

MURPHY,
SHARKEY,
INGRAM.

Senate Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Jones, Dennett and Boggs as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 40.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Jones:

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof" approved June 1, 1921.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended;

Also: Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913;

Also: Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Assembly Bill No. 799 ordered on file for second reading.

Assembly Bill No. 798 ordered on file for second reading.

Assembly Bill No. 797 ordered on file for second reading.

Assembly Bill No. 800 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Assembly Bill No. 190 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 513—An act providing for the inspection of all places where food is served—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Senate Bill No. 513 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 478—An act to promote the better education of practitioners of radiography: to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Assembly Bill No. 478 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

OSBORNE, Chairman.

Assembly Bill No. 729 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 29—An act authorizing the establishment and government of port districts; providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

OSBORNE, Chairman.

Assembly Bill No. 29 ordered on file for second reading.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 307 entitled "An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California," report that we have met a like committee of the Assembly, consisting of Assemblymen George C. Cleveland, E. Dozier and E. H. Christian, and we report that the Committee on Free Conference have agreed to recommend that the aforesaid bill be amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, of the printed bill, strike out the words "and of the State of California".

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, of the printed bill, strike out the following: "and of the State of California".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the words "and of the State of California".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, strike out the words "and of this state".

AMENDMENT NUMBER FIVE.

On page 1, lines 5 and 6, of the printed bill, strike out the following: "and of the thereof the word "or".

INMAN,
JONES,
HARRIS.

Senate Committee on Free Conference.

CLEVELAND,
DOZIER,
CHRISTIAN.

Assembly Committee on Free Conference.

Report of Committee on Free Conference ordered on unfinished business file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Jones to introduce a bill entitled—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof." Approved June 1, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership: 5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Jones: Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof", approved June 1, 1921.

Senate Bill No. 734 re-referred to Committee on Elections.

RECESS.

At one o'clock and five minutes p.m., on motion of Senator Breed, Senator Gates, E. J., declared the Senate at recess until the hour of two o'clock.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beck, Secretary of the Senate, at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be number 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 2 and 3 of the title of the printed bill and in lieu thereof insert the following: "of the Political Code".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out lines 18 to 21, both inclusive, and in lieu thereof insert the following: "one hundred seventy-five dollars (\$175) per month and one deputy sheriff at one hundred dollars (\$100) per month, who shall be head jailer at the county jail in said".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 40 and 41, of the printed bill, strike out the words "two thousand four hundred dollars (\$2,400)" and in lieu thereof insert the following: "three thousand dollars (\$3,000)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, after line 11, insert the following:

"19. The county traffic officer, two thousand seven hundred dollars per annum: *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer five deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of two thousand five hundred twenty dollars, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 12, of the printed bill, strike out the number "19" and in lieu thereof insert the number "20".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 15, of the printed bill, strike out the number "20" and in lieu thereof insert the number "21".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill strike out lines 19 to 30, both inclusive.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 46, of the printed bill, after the word "thousand" insert the words "five hundred".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 974—An act to amend section 19.31 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereto and all acts or parts of acts inconsistent herewith."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1313—An act to amend section 4013 of the Political Code, relating to county officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24 $\frac{1}{2}$, providing for the annexation of unincorporated territory to a fire district.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, after the word "shall" strike out the comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, insert a comma after the word "be".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 7, of the printed bill, after the word "territory" strike out the period and in lieu thereof insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 7, of the printed bill, strike out the letter capital "T" of the word "The" and insert in lieu thereof a small "t".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 18, of the printed bill, after the word "board" insert the words "of supervisors".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 817—An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 1288 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed, amended bill, after the period after the word "implied" add the following: "The word "county" as used herein shall include county, and city and county."

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed, amended bill, after the colon after the word "follows", strike out the remainder of line 8, and also strike out all of lines 9, 10, 11, 12, 13, 14, and line 15 to and including the word "initiative" in said line 15, and insert in lieu thereof the following: "The several boards of supervisors of said counties, or parts of counties, may adopt an ordinance to the effect that the county, or part of county, intends to unite with such other counties as may adopt like ordinances to form such district, or such ordinance may, in one or more of said counties, be adopted by the electors of the county under the provisions of the law applicable to the passage of ordinances by the initiative. Each of said counties shall be contiguous to another county therein: *provided* that counties separated by any of the waters of this state are contiguous within the meaning of this act."

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed, amended bill, strike out the word "and", and insert in lieu thereof the word "under".

AMENDMENT NUMBER FOUR.

On page 3, line 18, of the printed, amended bill, after the period after the word "petition", add the following: "In case an election is had in any county in the place of said petition, the county clerk shall certify to the secretary of state the result thereof, with a copy of the action of the board of supervisors authorizing said election."

AMENDMENT NUMBER FIVE.

On page 3, line 32, of the printed, amended bill, after the word "petitions" insert a comma, and after the comma the following: "or certifications of the result of elections when such elections are held,".

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1288, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Slater, adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILL—

(OUT OF ORDER).

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be

organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer Senate Bill No. 83 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 23, of the printed bill as amended April 19, 1923, in the blank after the word "least", insert the following: "one thousand."

AMENDMENT NUMBER TWO.

On page 7, line 3, of the printed bill as amended April 19, 1923, strike out the following: "this act shall have no further force or effect", and insert in lieu thereof the following: "the result shall be entered in the minutes of the board of supervisors and no further proceedings shall be had or taken under this act unless and until a new petition shall be filed with said board of supervisors as provided in section four of this act, when the same proceedings shall be taken as in case of the original petition; *provided*, that no petition provided for in said section shall be received or filed by said board of supervisors within nine months after an election held pursuant to the provisions of said section four."

AMENDMENT NUMBER THREE.

On page 11, lines 7 to 11, of the printed bill as amended April 19, 1923, strike out the following: "; *provided*, that at any election when two directors are to be elected from any one division, the person receiving the highest and the person receiving the second highest number of votes in such division shall be elected."

AMENDMENT NUMBER FOUR.

On page 16, line 26, of the printed bill as amended April 19, 1923, strike out the following: "minimum".

AMENDMENT NUMBER FIVE.

On pages 17 and 18 of the printed bill as amended April 19, 1923, strike out all of section 33 after the period in line 35, page 17.

AMENDMENT NUMBER SIX.

On page 18, line 42, of the printed bill as amended April 19, 1923, strike out the following: "the said estimate,".

AMENDMENT NUMBER SEVEN.

On page 18, lines 42 and 43, of the printed bill as amended April 19, 1923, strike out the following: "and the said order of approval".

AMENDMENT NUMBER EIGHT.

On page 19, lines 8 and 9, of the printed bill as amended April 19, 1923, strike out the following: "the proper dates of maturity for the bonds proposed to be issued", and insert in lieu thereof the following: "the proper basis for apportionment of benefits".

AMENDMENT NUMBER NINE.

On page 19, lines 14 and 15, of the printed bill as amended April 19, 1923, strike out the following: "and such estimate for the payment of interest, or any part thereof, is approved by the commission in said report,".

AMENDMENT NUMBER TEN.

On page 19 of the printed bill, as amended April 19, 1923, between lines 41 and 42, insert the following:

"For the purpose of apportioning the cost of any such project the board shall appoint three assessors who shall be disinterested persons, and shall have no interest in any real estate within said district, and each of whom, before entering upon his duties, shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, directly or indirectly, and that he will perform the duties of an assessor to the best of his ability. Said assessors must assess upon the lands within said district the said sums so estimated by the board, and shall

apportion the same according to the benefits that will accrue to each tract of land in said district, respectively, by reason of the expenditure of said sums of money. After said assessors have examined the plan or plans of the works contemplated and the said estimates of the cost, they shall make a preliminary report to the board indicating the exterior boundaries of the lands that in their opinion will be benefited by the expenditure. The assessors shall then appoint a time and place in Santa Clara county when and where they will hear objections to the said report, and also evidence concerning the manner in which said estimated costs should be apportioned. They shall give twenty days' notice of said hearing by publication in a newspaper published in said county. They shall exclude any land that will not be benefited by the expenditure of said sums and shall assess all lands that will be benefited thereby. Said assessors shall make a list of the lands so assessed, which list shall contain a description of the tracts of land assessed, by legal subdivisions, or other boundaries or references sufficient to identify the same; the name of the owner, if known, or if unknown, that fact, and the amount of the charge assessed against each tract. No mistake in the name of the owner, or supposed owner of any real estate shall invalidate the assessment or bonds based thereon. Said lists when completed shall be filed with the secretary of the board and the same shall be open for inspection by the public for at least thirty days. The compensation of said assessors shall be fixed and allowed by the board. The board shall appoint a time and place not less than thirty days after said list has been filed with the secretary when and where it will meet for the purpose of hearing objections to said assessments, and notice of such hearing shall be filed with the secretary and published for two weeks in some newspaper published in said county. At any time before the date of such hearing any person interested in any real estate upon which any charge has been assessed, may file in the office of the secretary of the board written objections to such assessment, stating the grounds of such objections, which said statement shall be verified by the affidavit of such person or some other person who is familiar with the facts. At such hearing the board shall hear such evidence as may be offered touching the correctness of such assessment or the manner of its apportionment, and may modify or amend the same and may reapportion all or any part of the entire assessment. If said assessment shall be reapportioned, the board shall give two weeks' notice as before, and proceed to hear objections as before, and shall then reconsider said assessment and make an order approving said assessment as finally fixed; said assessment lists shall thereupon be by the board filed in the office of the county treasurer of Santa Clara county, and thereafter said assessment valuations shall be used as a basis for assessments in raising funds for the construction, maintenance and repair of the works of said project."

AMENDMENT NUMBER ELEVEN.

On page 19, lines 42 and 43, of the printed bill as amended April 19, 1923, strike out the following: "resolution is adopted" and insert in lieu thereof the following: "lists are filed with the county treasurer".

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 83, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

ADJOURNMENT.

At two o'clock and thirty minutes p.m., on motion of Senator Crowley, the President pro tempore declared the Senate adjourned until Monday, April 30, at 11 o'clock a. m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, April 30, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 27, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Hughes was, on motion of Senator Hurley, granted leave of absence for this day.

Senator Rominger was, on motion of Senator Hart, granted leave of absence for this day.

Senator Arbuckle was, on motion of Senator Breed, granted leave of absence for this day.

Senator Inman was, on motion of Senator Jones, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge John S. Partridge, United States Judge, and Walter B. Walling.

On request of Senator Hurley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Geo. Gelder of Berkeley.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mayor D. D. Bowman and City Attorney Jordan L. Martinelli of San Rafael and Frances N. Reid of Concord.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Peter J. McCormick, well known undertaker, of San Francisco.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, SACRAMENTO, April 30, 1923.

To the Senate of the State of California.

I am returning herewith Senate Bill No. 81 without my approval.

Through error this bill fails to provide for notice being given to interested property owners before the assessment and collection of taxes, which makes the bill unconstitutional.

On this ground, and at the request of the author, I am therefore returning the bill to your honorable body.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—31.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 30, 1923.

To the Senate of the State of California,

Senate Bill No. 468 is returned herewith without my approval.

This bill would permit the State Board of Prison Directors to fix the length of sentence of a prisoner, after the expiration of nine months of his sentence, instead of after the expiration of the minimum period of his sentence.

In cases of murder of the second degree, the minimum term of imprisonment is ten years and the board cannot now fix the term until after that time has elapsed. This appears to me to be a wise provision and one calculated to deter the commission of murders. To change this time to nine months as proposed would remove a safeguard to society. The author of this bill evidently has a kindly thought in mind but has lost track of the larger aspect.

It is argued that the first degree murderer can now be paroled after serving seven years and that second degree murderers are thus punished more than first degree murderers. This would be an argument in favor of making first degree murderers serve a longer time than seven years or a full life term. Any sentiment in these cases should be with the family of the murdered person. The board at present does not parole first degree murderers until they serve ten years or more. After ten years they will be better able to judge the prisoner sentenced for murder in the second degree than after nine months.

This bill would prove a menace to society and still further weaken the punishment of murderers.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

Senate Bill No. 468 ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township officers with the county auditor;

Also: Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class;

Also: Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education;

Also: Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, and 1773 of the Political Code; and to repeal sections 1774, 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

EDEN, Chairman.

Assembly Bill No. 1299 ordered on file for second reading.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

LEWIS, Chairman.

SWING.

CREIGHTON.

Assembly Bill No. 921 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is directed to pay the same:

J. F. Leonard, Assistant Sergeant-at-Arms-----\$5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—29.

NOES—None.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and

to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—report that we have met a like committee of the Assembly, consisting of Assemblymen Cleveland, Foster and Donohue, and we report that the Committee on Free Conference have agreed to recommend the following:

That Assembly Bill No. 879, as amended in the Senate, April 18, 1923, be adopted with the following amendments:

AMENDMENT NUMBER ONE.

On page 2 of the printed amended bill, as amended in the Senate on April 18, 1923, line 44, after the word "fat" insert a period and strike out all the remainder of lines 44, 45, and 46 and line 1 on page 3 to the period.

AMENDMENT NUMBER TWO.

On page 3, line 29, of the printed amended bill as amended in the Senate April 18, 1923, after the word "fat" strike out the remainder of the line and all of line 30 and all of line 31 to the period.

AMENDMENT NUMBER THREE.

On page 4, line 49, of the printed amended bill as amended in the Senate April 18, 1923, after the period insert the following: "Milk to be made into cheese shall conform to the following requirements as a minimum: it shall be unadulterated, fresh, clean, free from foreign substances detrimental to its quality or the quality of the products prepared therefrom, and shall have been obtained from the udder by the complete milking of one or more healthy cows properly fed and kept, excluding that obtained within five days after or fifteen days prior to parturition."

AMENDMENT NUMBER FOUR.

On page 13, line 23, of the printed amended bill as amended in the Senate April 18, 1923, strike out the word "or" after the word "cheese" and insert in lieu thereof a comma (,) and the words "and no".

AMENDMENT NUMBER FIVE.

On page 22, line 22, of the printed amended bill as amended in the Senate April 18, 1923, strike out the period and in lieu thereof insert the following: "": *provided*, that no manufactured product of milk or cream may be destroyed without due notice to the owner thereof and a hearing before the Director of Agriculture of the State of California, or other officer especially designated by him."

BOGGS,
DENNETT,
OSBORNE.

Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—28.

NOES—None.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Harris:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to create a state tax commission to be known as the "State Tax Commission of 1923", to define its duties and tenure, and to provide for and make an appropriation for its maintenance.

Request referred to Committee on Rules.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 307 entitled "An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California," report that we have met a like committee of the Assembly, consisting of Assemblymen George C. Cleveland, E. Dozier and E. H. Christian, and we report that the Committee on Free Conference have agreed to recommend that the aforesaid bill be amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, of the printed bill, strike out the words "and of the State of California".

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, of the printed bill, strike out the following: "and of the State of California".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the words "and of the State of California".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, strike out the words "and of this state".

AMENDMENT NUMBER FIVE.

On page 1, lines 5 and 6, of the printed bill, strike out the following: "and of the thereof the word "or".

INMAN,
JONES,
HARRIS.

Senate Committee on Free Conference.

CLEVELAND,
DOZIER,
CHRISTIAN.

Assembly Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference and the adoption of the amendments. The roll was called and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Jones, Lewis, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—27.

NOES—None.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 732—An act to amend section 1195a of the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 5 to 15 inclusive and insert in lieu thereof the following: "1. To let all contracts involving an expenditure of more than five hundred dollars for work to be done or for materials or for supplies to be furnished, to the lowest responsible bidder who has complied with all the

provisions of this act on his part to be complied with: *provided*, that with the approval of the county superintendent of schools, the board may make a contract for the repair of old buildings, or for the performance of architectural or engineering services, or for the making of alterations or improvements determined to be of urgent necessity by the unanimous vote of the board, without advertising for bids."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 16 and 17, of the printed bill, strike out the words "professional, scientific, technical and expert" and insert in lieu thereof the following: "architectural and engineering".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, beginning with the comma following the word "bids", strike out the remainder of the line and all of lines 24 and 25 and the matter in line 26 down to and including the word "law" and insert in lieu thereof the following: "for materials or supplies to be furnished or for work to be done (except for the erection, construction, alteration or improvement of any school structure or other school improvement)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 8, strike out the word "county" and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 10, strike out the word "district" and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 31, strike out the word "check" and insert in lieu thereof the word "checks".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 33, strike out the word "check" and insert in lieu thereof the word "checks".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 43, strike out the word "and" and insert in lieu thereof a period and the following: "The board".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 7, strike out the words "as hereinbefore provided".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended March 8, strike out the words "except striped bass".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, as amended March 8, following the comma after the words "one and one-half" insert the words "one and three-quarters,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "city" strike out the words "or city and county".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after the word "the" strike out the word "people" and insert the words "qualified electors".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 146—An act to add a new section to be numbered section 53, to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by

establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill and insert in lieu thereof the following:

"An act to amend sections two, five, seven, eight, nine and ten of an act entitled "an act to promote the devel-".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 20 and 21 of the title of the printed bill strike out the words "as amended.", and insert in lieu thereof the following: "approved June 3, 1921."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "An act entitled", and insert in lieu thereof the following: "Section two of an act entitled".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out the words "as amended." in line 11, and all of lines 12 to 20, both inclusive, and insert in lieu thereof the following: "approved June 3, 1921, is hereby amended to read as follows:

Sec. 2. To promote the development of the California fresh fruit, nut and vegetable industry and to prevent deception in the packing, shipping or sale of fruits, nuts and vegetables for state or interstate shipment, there are hereby created and established certain standards and standard packages for walnuts, apricots, berries, cantaloupes, cherries, grapes, melons, oranges, peaches, pears, plums, prunes, quinces, head lettuce, onions, potatoes, sweet potatoes, and tomatoes.

Sec. 2. Section five of said act, approved June 3, 1921, is hereby amended to read as follows:

Sec. 5. All fresh fruits or vegetables of the kind specified in this act intended for use in processing, preserving, or in the manufacture of by-products, shall be exempt from the provisions of this act; and any inspector of fresh fruits and vegetables may require from the owner or shipper of such fruits and vegetables such proof as he may deem necessary that they will be used in processing, preserving, or in the manufacture of by-products, and shall hold same until satisfactory proof is given: *provided, however*, that grapes must conform to the sugar standards in section ten hereof; *and provided, further*, that grapes shipped as "California commercial grade" which standard is hereby established, shall be shipped in standard "California lug box" plainly marked in letters not less than one-half inch in height with the designation "California commercial grade;" and shall consist of grapes showing not in excess of ten (10) per cent by weight of decayed, moldy, crushed or otherwise defective berries; but not more than one-half of this ten per cent shall consist of dried or partially dried berries.

Sec. 3. Section seven of said act, approved June 3, 1921, is hereby amended to read as follows:

Sec. 7. Standard packages are hereby established as follows:

(1) Standard apricot, plum and grape basket, approximately eight inches square on top, six and one-half inches on bottom, and four inches deep, inside measurements.

(2) Standard berry baskets, dry pint containing an interior capacity of approximately thirty-three and six-tenths cubic inches and dry one-half pint containing interior capacity of approximately sixteen and eight-tenths cubic inches; *provided*, that the standard basket for strawberries shall be the dry pint.

	Depth inside, in inches	Width inside, in inches	Length outside, in inches
(3) Standard pear box -----	8½	11½	19½
Half pear box -----	4½	11½	19½
Standard peach box -----	4½	11½	19½
Standard peach box -----	4½	11½	19½
Standard peach box -----	4½	11½	19½
Standard crates -----	4½	16	17½
Standard crates -----	4½	16	17½
Standard crates -----	4½	16	17½
(4) Standard grape crates -----	4½	16	17½
With heavy cleat 11/16 of an inch by 11/16 of an inch.			
(5) Standard grape drum -----	14	15½	---
Containing 2642 cubic inches.			
(6) Standard grape keg -----	---	---	---
Containing 2642 cubic inches minimum.			
(7) California lug box -----	5½	14	17½
(8) Peach size cherry lug -----	4	11½	19½
(9) Standard cherry lug -----	4½	9	19½
(10) Special cherry lug -----	3	9½	19½
(11) Special cherry lug -----	3	11½	19½
(12) Standard cherry box -----	2½	9	19½
(13) Special fruit lug -----	4	14	17½

(14) Standard lettuce crate, depth, inside in inches, thirteen; width, inside in inches, eighteen; length, inside in inches, not less than twenty-one and three-fourths; length, outside in inches, not more than twenty-four and one-half.

(15) Standard cantaloupe crates, twelve inches by twelve inches by twenty-two and one-half inches, to be packed with thirty-six or forty-five cantaloupes: four inches by twelve inches by twenty-two and one-half inches, to be packed with nine, twelve or fifteen cantaloupes; eleven inches by eleven inches by twenty-two and one-half inches, to be packed with forty-five or fifty-four cantaloupes; thirteen inches by thirteen inches by twenty-two and one-half inches, to be packed with thirty-six or forty-five cantaloupes; four and one-half by thirteen and one-half by twenty-two and one-half inches, containing nine, twelve or fifteen cantaloupes. All cantaloupe packs other than those provided in this section shall be conspicuously marked in letters not less than one-half inch in height "irregular pack."

SEC. 4. Section eight of said act approved June 3, 1921, is hereby amended to read as follows:

Sec. 8. All containers of fruit of a kind specified in this act, except subcontainers, when packed and offered for sale, shall bear upon them in plain sight and in plain letters on the outside thereof the following: Name of the orchard where the same was produced, with the post-office address thereof, or the name and post-office address of the person, firm, company or corporation, or organization who shall have first packed or authorized the packing of same, or the name under which such packer shall be engaged in business, together with the post-office address of such packer; name of variety if known, and when not known the words "unknown variety"; minimum net weight or approximate number of fruits in the container or subcontainer, which number shall be within four of the true count, except in the case of lettuce when such number shall be within three of the true count, and no container or subcontainer shall have less than the minimum stamped thereon. When two or more varieties are packed or placed in a container, they shall be labeled "mixed varieties." Pears and peaches, when packed, shall have the correct number within four placed on the container.

Standard or other containers when used as subcontainers are exempt from the provisions regarding marking, when the container in which they are placed is marked in compliance with the terms of this section. No containers or subcontainers of fruits or vegetables shall bear grade or other designations that are in any way false or misleading. Nothing in this act shall be construed to conflict with any California or federal regulations regarding net weight markings on containers or subcontainers.

Containers in which the fruit in the top layer only is placed in regular compact arrangement, excepting cherries, berries, and grapes, shall be labeled "face and fill" in lieu of the approximate number of fruits or net weight.

SEC. 5. Section nine of said act, approved June 3, 1921, is hereby amended to read as follows:

Sec. 9. All fresh fruits and vegetables of the kinds specified in this act, except such as shall be used in the manufacture of by-products, when prepared or offered for sale or sold, shall be packed or placed in standard containers, which are hereby established, and shall conform to all provisions of this act; *provided*, that, with the exception of berries, other sized containers may be used if conspicuously marked in letters not less than one-half inch high, "irregular container."

Sec. 6. Section ten of said act, approved June 3, 1921, is hereby amended to read as follows:

Sec. 10. In addition to the standards prescribed in section three of this act, grapes shall show a sugar content of not less than seventeen per cent Balling scale, except Burger, Emperor, Gros Gelman, Pierce Isabella, and Cornichon, which shall show not less than sixteen per cent Balling scale; *provided, however*, that in cases where lower sugar content is required for processing, preserving, or manufacturing grapes than is established in this section, the director of agriculture is authorized to issue a permit for delivery of same, such permit to be a matter of public record in the department of agriculture. Containers of grapes moved under special permit shall be conspicuously marked in letters not less than one-half inch in height "low sugar content."

Permits so issued shall be revocable at any time upon proper showing being made to the director of agriculture. Oranges shall be deemed properly matured for shipment or sale under the provisions of this act when the juice contains soluble solids equal to or in excess of eight parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization; *provided*, that the oranges have attained at least twenty-five per cent yellow or orange color before picking, and oranges which are substantially or at least seventy per cent colored at the time of picking shall be deemed properly matured for shipment or sale, irrespective of analysis of the juice. When packed, shipped, delivered for shipment, offered for sale or sold, oranges shall be virtually free from insect and fungous diseases and other serious defects. Oranges shall be considered unfit for shipment when frosted to the extent of endangering the reputation of the citrus industry, if shipped. The foregoing provisions shall not apply to shipments of oranges to foreign countries other than the Dominion of Canada, during any season, provided such shipments are made after the first day of November.

In addition to the standards prescribed in section three of this act, during the months of January, February and March, of each year, head lettuce when packed, or after packing, or when shipped, delivered for shipment, offered for sale or sold as a standard pack, shall contain not less than three dozen, nor more than five dozen heads of lettuce per crate, with a tolerance of three heads of lettuce per crate, which are firm or fairly firm, and which are not less than eleven inches in circumference when measured around the widest portion of head between butt end and top after outer leaves are removed. All head lettuce shall be tightly packed with a slight bulge of crates when lidded, and crates shall contain not more than thirty pounds of ice. Crates in which lettuce does not conform to the above standards shall be marked "Irregular Pack" in letters not less than one-half inch in height. All crates of lettuce shall be conspicuously marked with the exact number of heads contained therein, and with the name and post office address of the person, firm, company, organization or corporation packing or shipping same.

Cantaloupes shall be considered mature when the juice of the edible portion of the cantaloupe contains not less than nine per cent soluble solids as determined by the Brix hydrometer. Cantaloupes shall be considered unfit for shipment when soft or overripe."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 513—An act providing for the inspection of all places where food is served.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 603—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and

game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

On motion of Senator Godsil, Senate Bill No. 603 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 719 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

On motion of Senator Dennett, Senate Bill No. 29 was passed on file.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

On motion of Senator Canepa, Senate Bill No. 390 was passed on file.

Senate Bill No. 13—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 13 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Murphy, Nelson, Osborne, Sample, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 531 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof.

On motion of Senator Hurley, Senate Bill No. 249 was passed on file.

Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 287 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

In the absence of the author, Senate Bill No. 209 was passed on file.

Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township officers with the county auditor.

In the absence of the author, Senate Bill No. 466 was passed on file.

Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries of officers and expenses of officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Members of the Senate of the State of California.

GENTLEMEN: Senate Bill No. 695, making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years is, in my opinion, an urgency measure and this bill is an emergency bill, and I therefore recommend its passage.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State Prison at San Quentin for the seventy-third and seventy-fourth fiscal years.

Bill read third time.

CASE OF URGENCY.

Section 2, setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 695 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canoga, Carr, Croighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY BILL.—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 862—An act to amend section 626 of the Penal Code, relating to protection of deer.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, as amended April 6, strike out the words "either side" and insert in lieu thereof the words "both sides".

Amendment adopted.

Bill read second time, and ordered to print, and on file.

Assembly Bill No. 324—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608d to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out the five lines constituting the title and in lieu thereof insert: "An act to protect the public health by regulating the use of

the X-ray or Roentgen ray: to provide for the better regulation, education and training of lay technicians of radiography and to provide for the examination and registry thereof as radiographers by the state board of health, and to provide penalties for the violation hereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, after the word "based" insert the following: "Such reports shall not contain any diagnosis or pathological interpretation or any attempted diagnosis or pathological interpretation of said radiographs".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the words "under the" insert the word "direct".

Amendment adopted.

AMENDMENT NUMBER THREE A.

On page 1, line 24, of the printed bill, after the word "the" strike out the word "fluososcope" and insert in lieu thereof the word "fluoroscope".

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 2, of the printed bill, strike out all of lines 3 to 15, both inclusive, and insert in lieu thereof:

"SEC. 2. No persons shall do radiography in the State of California except persons holding a valid and unrevoked physician and surgeon's license issued by the board of medical examiners or persons holding a valid and unrevoked dentist's license issued by the board of dental examiners; or those who shall hold valid and unrevoked certificates of registration issued to them as provided in this act: *provided, however,* that this act shall not be construed to repeal, modify or abridge any of the provisions of any initiative act adopted by the electors of the State of California, *provided, further,* that nothing in this act shall be construed to prevent legally licensed practitioners of veterinary medicine from using the X-ray or Roentgen ray in the practice of veterinary medicine."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 18, of the printed bill, strike out the words "or persons licensed to treat the sick and afflicted".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 21, of the printed bill, strike out the words "or persons licensed to treat the sick and afflicted".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 27, of the printed bill, before the word "one" insert "two of whom shall be members of the board of medical examiners of the State of California and".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 35, of the printed bill, before the word "radiography" strike out the word "practice" and insert the word "do".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 42, of the printed bill, strike out the word "reading" after the word "plate" and insert in lieu thereof the word "study".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 43, of the printed bill, after the word "principles" strike out the words "and practice".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 49, of the printed bill, after the word "work" insert "under such direction, supervision and conditions as shall be approved by said board of examiners".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 1, of the printed bill, strike out the word "practice" and insert the word "do".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 6, of the printed bill, strike out the words "the practice of".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 13, of the printed bill, strike out the word "practice".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 22, of the printed bill, after the word "incompetence" insert the following "or the commission of any act involving moral turpitude".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 23, of the printed bill, strike out the word "practice" and insert the word "do".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 29—An act authorizing the establishment and government of port districts; providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 728—An act to amend section 67*b* of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 728 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

On motion of Senator Crowley, Senate Bill No. 721 was passed on file.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

Senator McDonald asked for and was granted unanimous consent to have Constitutional Amendment No. 23 made a special order for twelve o'clock m., Thursday, May 3.

Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 442 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Jones, McDonald, Murphy, Nelson, Osborne, Powers, Sharkey, Slater, and Swing—21.

NOES—Senators Burnett, Chamberlin, Hart, Hurley, Sample, and West—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 303 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Sample, Senate Bill No. 507 was taken from the file and re-referred to Committee on Fish and Game.

SPECIAL ORDER.

Senator McDonald moved that Senate Constitutional Amendment No. 23 be made a special order for Thursday, May 3, 1923, at twelve o'clock m.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1288 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 22 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Assembly Concurrent Resolution No. 22 ordered transmitted to the Assembly.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 734 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Ingram, Johnson, A. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Oshtone, Powers, Sample, Slater, Swing, and West—27.

NOES—Senators Dennett, and Sharkey—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Powers, Assembly Bill No. 401 was taken from the file and re-referred to Committee on Roads and Highways.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more.

Assembly Bill No. 341 passed on file.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Assembly Constitutional Amendment No. 2 ordered transmitted to the Assembly.

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 246 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B. Jones, Lewis, Lyon, McDonald, Murphy, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Senate of the State of California.

I am returning herewith Senate Bill No. 598 without my approval.

The Attorney General informs me that this bill is unconstitutional as the matter in sections 2 and 3 is not mentioned in the title.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyons, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Senate of the State of California.

GENTLEMEN: I return herewith without my approval Senate Bill No. 152.

At present section 172 of the Code of Civil Procedure provides that no elective judicial officer in this State shall have a partner who acts as attorney or counsel in any court. This bill amends the section so as to permit justices of the peace, police judges, or other judges who do not preside over courts of record to have such partners. I can see no reason why judicial partnerships should be prohibited in courts of record and allowed in courts of inferior jurisdiction.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—31.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

Assembly Constitutional Amendment No. 6 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 210—An act to amend section 360e of the Political Code, relating to records.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 210 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 88 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

Assembly Bill No. 494 passed on file.

Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof;

providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

Assembly Bill No. 1114 passed on file.

Assembly Bill No. 1250—An act to amend section 681*a* of the Code of Civil Procedure, relating to stay of execution.

Assembly Bill No. 1250 passed on file.

Assembly Bill No. 303—An act to amend sections 671 and 674 of the Code of Civil Procedure and to repeal section 671*a* of said code, relating to judgment liens and transcripts of judgments.

Assembly Bill No. 303 passed on file.

Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended.

Assembly Bill No. 416 passed on file.

Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Assembly Bill No. 113 passed on file.

Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carr moved to refer Assembly Bill No. 1323 to Senator Canepa as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, strike out the comma following the word "shall".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1323, with instructions to amend, respectfully reports the same back, amended as per instructions.

CANEPA, Special Committee.

Report read, and on motion of Senator Carr adopted.

Bill ordered to print.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Joseph A. Beck, Secretary of the Senate, at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Assembly Bill No. 40, recommending the appointment of a Free Conference Committee and the following Assemblymen were appointed: Morris, McDowell, and Stevenot, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 709 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections:

Also: Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869a, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary or the original grantor or trustor against the grantee or grantees of the person so designated "trustee" or "as trustee."

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 395 and 63 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 28, passed the following:

Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class:

Also: Senate Bill No. 490—An act to amend sections 2845 and 2847 of the Political Code of the State of California, relating to toll bridges.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 480 and 490 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 28 passed as amended, Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THIRTY-ONE.

AMENDMENT NUMBER ONE.

In line 8 of the amended printed bill after the word "than" strike out the word "twenty-five" and in lieu thereof insert the word "ten".

AMENDMENT NUMBER TWO.

In line 8 of the amended printed bill, after the word "the" insert the word "nearest".

AMENDMENT NUMBER THREE.

In line 9 of the amended printed bill strike out the first words "nearest to him".

AMENDMENT NUMBER FOUR.

In line 9 of the amended printed bill, strike out after the words "nearest to" the word "him" and in lieu thereof insert the words, "the front of such vehicle, bus or truck".

AMENDMENT NUMBER FIVE.

In line 12 of the amended printed bill, strike out the period after the word "rails" and in lieu thereof insert a semicolon and after such semicolon insert the following: "provided, however, that nothing contained in this act shall apply to street railway tracks in the streets of incorporated cities, or cities and counties, nor to tracks at crossings in the streets of incorporated cities or cities and counties, when traffic officers are on duty, or traffic signals are maintained, for the direction of traffic, nor to unused tracks, whether inside or outside of incorporated cities or cities and counties."

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out all of lines 13 to 20, both inclusive.

AMENDMENT NUMBER SEVEN.

On page 1, line 21, of the printed bill, strike out the figure "4" after the word "Section" and insert in lieu thereof the figure "2".

AMENDMENT NUMBER EIGHT.

On page 1, line 4, of the printed bill, after the comma after the word "gravity" insert the following: "as a cargo or part of a cargo".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 31?"

The roll was called, and Assembly amendments to Senate Bill No. 31 concurred in by the following vote:

AYES—Senators Allen, Breed, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hardy, Harris, Hart, Hurley, Ingram, Lewis, Murphy, Nelson, Powers, Sample, Slater, Swing, and West—24.

NOES—None.

Senate Bill No. 31 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 22—Relative to a tour of inspection of military establishments of the State of California, by the Secretary of War and members of the Committee on Military Affairs of the House of Representatives and of the United States Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Joint Resolution No. 22 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 27 adopted Assembly Concurrent Resolution No. 12—Relative to adjournment sine die.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Concurrent Resolution No. 12 referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23a of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Constitutional Amendment No. 31 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 27 passed the following:

Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Also: Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Also: Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Also: Assembly Bill No. 1914—An act to add a new section to the Penal Code, to be numbered 277a, relating to the prohibiting of publication of indebtedness.

Also: Assembly Bill No. 4279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 91 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 427 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 499 read first time, and referred to Committee on County Government.

Assembly Bill No. 1014 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1279 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 27 passed the following:

Assembly Bill No. 685.—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts;

Also: Assembly Bill No. 806.—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention;

Also: Assembly Bill No. 1051.—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended;

Also: Assembly Bill No. 1261.—An act to add a new section to the Political Code, to be numbered 4259a, relating to the fees and mileage of jurors in counties of the thirtieth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 685 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 806 read first time, and referred to Committee on Education.

Assembly Bill No. 1051 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1261 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 334.—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 334 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 27 passed the following:

Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work:

Also: Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended:

Also: Assembly Bill No. 595—An act to amend sections 5, 19, 22b, 26 and 57 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 367 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 438 read first time, and referred to Committee on County Government.

Assembly Bill No. 595 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce:

Also: Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Also: Assembly Bill No. 296—An act to amend sections 1327, 1328 and 1333 of the Code of Civil Procedure, relating to will contests:

Also: Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund:

Also: Assembly Bill No. 775—An act to amend section 1664, relating to procedure in probate matters:

Also: Assembly Bill No. 174—An act to amend section 3009 of the Civil Code, relating to corporations:

Also: Assembly Bill No. 790—An act to amend section 4250 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-first class:

Also: Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 13 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 116 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 296 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 392 read first time, and referred to Committee on County Government.

Assembly Bill No. 775 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 174 read first time, and referred to Committee on Corporations.

Assembly Bill No. 790 read first time, and referred to Committee on County Government.

Assembly Bill No. 890 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools;

Also: Assembly Bill No. 1249—An act to amend sections 852, 855, 857a, and 858, and to repeal section 857 of the Code of Civil Procedure relating to justices' courts;

Also: Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost thereof have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids thereof have first been advertised for, opened and rejected;

Also: Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District, prescribing its boundaries and providing for the government and control thereof;

Also: Assembly Bill No. 1295—An act to amend an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1064 read first time, and referred to Committee on Education.

Assembly Bill No. 1249 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1293 read first time, and referred to Committee on County Government.

Assembly Bill No. 1297 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1295 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class;

Also: Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in

same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums;

Also: Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751a, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1116 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1319 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended;

Also: Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State;

Also: Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 550 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 597 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1333 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 28 passed the following:

Assembly Bill No. 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,'

approved March 22, 1905, and the act amendatory thereof, approved April 15, 1907"; approved May 1, 1911, as amended;

Also: Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office;

Also: Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies;

Also: Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 998 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1110 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1307 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1321 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 28 passed the following:

Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 488—An act to amend section 19112 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended;

Also: Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 979—An act to provide for the organization and government of road districts, and to provide for the construction, acquisition and maintenance of roads in such districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 179 read first time, and referred to Committee on County Government.

Assembly Bill No. 488 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 816 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 823 read first time, and referred to Committee on County Government.

Assembly Bill No. 979 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 869—An act to amend section 5 of, and to add a new section to be numbered 7a, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'the reciprocal or interinsurance act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended," approved June 3, 1921."

Also: Assembly Bill No. 899—An act to add a new section to the Penal Code to be numbered 402g, relative to the use of soiled or unlaundered table linen or napkins for purposes of cleaning, wiping or drying utensils, dishes, tableware or glassware in any public eating house or place where meals, food, drink or refreshments of any kind are prepared, served, consumed or sold;

Also: Assembly Bill No. 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class;

Also: Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 869 read first time, and referred to Committee on Insurance.

Assembly Bill No. 899 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 985 read first time, and referred to Committee on County Government.

Assembly Bill No. 1066 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class;

Also: Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties;

Also: Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 424—An act to add two new sections to the Penal Code, to be numbered 1599a and 1599b, relating to property taken from persons detained in city, county, or city and county jails;

Also: Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 80 read first time, and referred to Committee on County Government.

Assembly Bill No. 361 read first time, and referred to Committee on County Government.

Assembly Bill No. 588 read first time, and referred to Committee on County Government.

Assembly Bill No. 424 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 900 read first time, and referred to Committee on Universities and Teachers Colleges.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1262—An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also: Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class;

Also: Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1262 read first time, and referred to Committee on County Government.

Assembly Bill No. 1175 read first time, and referred to Committee on County Government.

Assembly Bill No. 1326 read first time, and referred to Committee on Insurance.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 732—An act to amend section 1195a of the Political Code relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 17—Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended. Committee membership—5; committee vote. Ayes—5.

EDEN, Chairman.

Assembly Joint Resolution No. 17 ordered on file.

SENATOR WEST IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator West of the fourteenth district was called to the chair.

PETITION—(OUT OF ORDER).

The following petition was presented by Senator Handy and ordered printed in the Journal:

WAW BEEK TRIBE, No. 164, IMPROVED ORDER OF RED MEN.

MENDOCINO, April 24, 1923.

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities: be it therefore

Resolved, That this tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land and petition our Great White Fathers to consider the humble appeal of Waw Beek Tribe, No. 164, of Mendocino, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this great republic, owe so much and have provided so little.

DOUGLAS DAVIS, Sachem.
WM. SHAW, Chief of Records.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 354—An act to add a new section to be numbered 15a to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, relating to teachers employed at the southern branch of the University of California.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FIFTY-FOUR.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "seventeen" and insert in lieu thereof the words "fifteen a".

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out the period following the word "amended" and insert in lieu thereof a comma and the words "relating to teachers employed at the southern branch of the University of California" and a period.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the word "seventeen" and insert in lieu thereof the words "fifteen a".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out the words and numbers "Sec. 17" and insert in lieu thereof the words and numbers "Sec. 15a".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 354?"

The roll was called, and Assembly amendment to Senate Bill No. 354 concurred in by the following vote:

AYES—Senators Allen, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Jones, Lewis, Lyon, Murphy, Nelson, Sample, Slater, Swing, and West—22.

NOES—None.

Senate Bill No. 354 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 252 passed by the following vote:

AYES—Senators Allen, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hurley, Ingram, Lewis, Lyon, Murphy, Nelson, Powers, Sample, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict.

Assembly Bill No. 298 passed on file.

Assembly Bill No. 299—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment.

Assembly Bill No. 299 passed on file.

Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial.

Assembly Bill No. 300 passed on file.

Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

Assembly Bill No. 305 passed on file.

Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 948 passed by the following vote:

AYES—Senators Allen, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, and West—25.

NOES—Senators McDonald, and Swing—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1334 passed by the following vote:

AYES—Senators Allen, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Hart, Hurley, Ingram, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Crowley gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1334 was passed.

Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Assembly Bill No. 204 passed on file.

Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 423 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Johnson, A. B., Jones, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1132 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Johnson, A. B., McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 974—An act to amend section 19.31 of an act entitled "An act to be known as the juvenile court law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment

or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereto and all acts or parts of acts inconsistent herewith."

Assembly Bill No. 974 passed on file.

Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1137 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Jones, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Dennett gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1137 was passed.

Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1305 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Assembly Bill No. 336 passed on file.

Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1316 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1313—An act to amend section 4013 of the Political Code, relating to county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1313 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Murphy, Osborne, Powers, Rominger, Sample, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1291 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Lewis, Lyon, Murphy, Osborne, Rominger, Sample, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1107—An act to amend an act defining the term, lowest responsible bidder, on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 28, 1876, approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof.

Assembly Bill No. 1107 passed on file.

Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

Assembly Bill No. 676 passed on file.

Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein.

Assembly Bill No. 372 passed on file.

Assembly Bill No. 817—An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 817 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Rominger, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carr moved to refer Assembly Bill No. 66 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the words "On the demand of the district attorney".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 66, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and on motion of Senator Carr, adopted.

Bill ordered to print.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 30, 1923.

To the Senate of the State of California.

GENTLEMEN: The misuse of the word "doctor" has led in the past to much confusion and many abuses. When the name Dr. "Will Healem" appears on an office door, on a card, or in a newspaper advertisement, it cannot be determined whether he is a dentist, a chiropractor, an osteopath, a corn doctor, a doctor of philosophy, a horse doctor, a nature cure doctor, or a "regular" M. D. This is a condition which should be righted, and Senate Bill No. 331 seeks to do it. The bill attempts to regulate the use of the word "doctor" and prohibits its use in advertising on doors, signs or in newspapers unless accompanied by words showing "educational qualifications," "attainments" (whatever that may mean), and "degrees upon which such title is based," and also the name of the school, college or university that conferred the degree.

I am strongly in favor of the general purpose of this bill and of letting the people know the kind of a doctor they are patronizing.

I am ready to concede the arguments advanced by the M. D.'s in favor of this kind of a law. This bill passed the Senate and Assembly without opposition, but after its adoption strong opposition began to spring up from various sources. This opposition ranges from "regular" M. D.'s to newspaper publishers, and from optometrists to chiropractors. The opposition claim they were unaware of the nature of the bill and had no opportunity to oppose it before the Legislature.

One "regular" writes that he has been practicing many years, but that his college long since ceased to function as a medical school and is now a religious college. He objects to being compelled to advertise as a graduate of a religious school of a sect to which he does not belong. Another "regular" says he is a graduate of a California school and has been practicing for many years, and that to compel him to name his school would put him at a disadvantage with some young and inexperienced doctor who has the prestige of graduating from a famous school like Johns Hopkins.

A member of the State Board of Medical Examiners points out this practical objection: Where several doctors have one reception room the reception room door would be too small to carry words designating all the titles and colleges of the various doctors. Also that the present law could not be complied with in the case of directories in office buildings, which have barely room for the name.

The State Board of Chiropractors, through its president, has filed a protest against this bill and a number of chiropractors have written and wired protests. Several optometrists have protested against the bill.

The Christian Scientists, through their State committee, object on the ground that they have no school and hence cannot comply with the law. This committee says "that in the opinion of counsel it prohibits the use of the title 'Christian Science Practitioner' or the abbreviations 'C. S.', 'C. S. B.', or 'C. S. D.'," and that "Christian Scientists have no desire to interfere with the medical profession, and are in favor of all measures tending to prevent imposition on the public. However, the ambiguities of this bill, and the fact that it seriously affects the interests of the large body of Christian Scientists of California makes the matter of such importance to us as to ask your veto of the bill."

Leading advocates of the bill claim that the Christian Scientists can practice, as they are a religious body not affected by the medical laws. This is true regarding the practice of healing; but this bill relates to advertising and not to healing.

The advocates of the bill also claim it will increase the amount of advertising done by doctors and that that is one of the purposes of the bill. This might be the result. A number of publishers, however, have protested against the bill chiefly on the ground that section five contains a statement establishing the presumption that any doctor who advertises is therefore guilty per se of misrepresentation, imposition and fraud. Section five says: "This act shall be known and cited as the 'act to protect the public from misrepresentation, imposition and fraud of advertising doctors'."

This bill, in the opinion of some attorneys who have examined it, is so involved and ambiguous in its wording as to be impossible of enforcement and hence could not accomplish the end desired.

False and misleading advertising is fully covered by section 654a of the Penal Code known as the "Model Advertising Statute." Any doctor making false claims or false statements or false representations in any kind of an advertisement can now be fully punished under section 654a.

If the advocates of this bill will pass a plainly worded and simple bill requiring all doctors who advertise to indicate what kind of doctors they are, eliminating the school provision and eliminating section five, I will gladly sign it.

For these reasons I am compelled to return herewith Senate Bill No. 331 to you without my approval."

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

On request of Senator Hurley, Senate Bill No. 331 was ordered on unfinished business file.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Lyon:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add two new sections to the Penal Code to be numbered 369h and 369i, respectively, prohibiting the drilling, digging, or otherwise sinking of any well for

oil, gas or any other hydro-carbon substance within fifty feet of the center line of any railroad track and prohibiting the operation, maintenance, and taking of oil, gas, or any other hydro-carbon substance from any well so located.

Request referred to Committee on Rules.

ADJOURNMENT.

At three o'clock and fifty minutes p.m., on motion of Senator Breed, Senator West declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, May 1, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 30, 1923, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Murphy was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Inman was, on motion of Senator Jones, granted leave of absence for this day.

Senator Arbuckle was, on motion of Senator West, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Eden, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Everett S. Gardiner of Balboa.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 1, 1923.

To the Senate of the State of California.

GENTLEMEN: Senate Bill No. 593 is returned herewith without my approval.

This bill adds section 3968 to the Political Code and relates to the changes in county boundaries. Sections 3969 and 3973 of the Political Code fully cover this

matter. The Surveyor General advises me that the procedure provided in this bill is rather involved while the present method is simple.

The author says this bill has been amended from its original form so that it fails of its purposes.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

In the absence of Senator Lyon, Senate Bill No. 593 was ordered on unfinished business file.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended:

Also: Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds. And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to the duties of boards of school trustees and city boards of education;

Also: Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game.

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties;

Also: Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof;

Also: Senate Bill No. 146—An act to amend sections 2, 5, 7, 8, 9, and 10 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921;

Also: Senate Bill No. 513—An act providing for the inspection of all places where food is served;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 187—An act providing for the holding of an agricultural, citrus and deciduous fruit exhibition in the city and county of San Francisco, and making an appropriation therefor has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and that it be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

BOGGS, Chairman.

Senate Bill No. 187 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State;

Also: Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof;

Also: Assembly Bill No. 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

BOGGS, Chairman.

Assembly Bills Nos. 597, 1066 and 1295 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirtieth class;

Also: Assembly Bill No. 790—An act to amend section 4250 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-first class;

Also: Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class;

Also: Assembly Bill No. 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class;

Also: Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

SWING, Chairman.

SLATER.

SHARKEY.

WEST.

HANDY.

POWERS.

CARR.

Assembly Bills Nos. 179, 334, 790, 890, 985 and 1175 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class;

Also: Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259a, relating to the fees and mileage of jurors in counties of the thirtieth class;

Also: Assembly Bill No. 1262—An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also: Assembly Bill No. 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

SWING, Chairman.

SLATER.

POWERS.

SHARKEY.

WEST.

HANDY.

CARR.

Assembly Bills Nos. 52, 1310, 1261, 1262 and 1335 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second

class has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 548 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 51. A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Constitutional Amendment No. 51 ordered on file.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

JOHNSON, A. B., Chairman.

Assembly Bill No. 485 ordered on file for second reading.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Slater:

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes.

Request referred to Committee on Rules.

By Senator Sample:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 19a5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES (RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Harris, to introduce a bill entitled—An act to create a State Tax Commission to be known as the "State Tax Commission of 1923", to define its duties and tenure, and to provide for and make an appropriation for its maintenance—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Harris: Senate Bill No. 735—An act to create a State Tax Commission to be known as the "State Tax Commission of 1923," to define its duties and tenure, and to provide for and make an appropriation for its maintenance.

Senate Bill No. 735 read first time, and referred to Committee on Revenue and Taxation.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Lyon to introduce a bill entitled—An act to add two new sections to the Penal Code, to be numbered 369*h* and 369*i*, respectively, prohibiting the drilling, digging or otherwise sinking of any well for oil, gas or any other hydro-carbon substance within fifty feet of the center line of any railroad track and prohibiting the operation, maintenance, and the taking of oil, gas or any other hydro-carbon substance from any well so located—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Lyon: Senate Bill No. 736—An act to add two new sections to the Penal Code, to be numbered 369*h* and 369*i*, respectively.

prohibiting the drilling, digging or otherwise sinking of any well for oil, gas or any other hydro-carbon substance within fifty feet of the center line of any railroad track and prohibiting the operation, maintenance, and the taking of oil, gas, or any other hydro-carbon substance from any well so located.

Senate Bill No. 736 read first time, and referred to Committee on Oil Industries.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Slater to introduce a bill entitled—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Demmett, Eden, Gates, Dr. Gates, E. J. Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B. Jones, Lewis, Lyon, McDonnell, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Slater: Senate Bill No. 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes.

Senate Bill No. 737 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sample to introduce a bill entitled—An act to amend section 19a5, an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Sample: Senate Bill No. 738—An act to amend section 19r5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers.

Senate Bill No. 738 read first time, and referred to Committee on Judiciary.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of seven hundred eighty-five dollars and fifty-six cents (\$785.56) for expenses of the Senate, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Western Union Telegraph Co., for services to the Senate	\$ 4 24
Pacific Telephone & Telegraph Co.	
March bill	\$11 60
April bill	18 35
	29 95
Hall, Luhrs & Company, matches	5 09
State Purchasing Department, supplies and stationery	506 58
Trouse and McFall.	
Strap hinges	\$0 15
Hasp and padlock	55
	70
Purnell Stationery Co.,	
1 clipless punch	\$3 00
Clipless fasteners	2 80
	5 80
Wholesale Typewriter Co., rental 26 typewriters 1 month at \$4	104 00
Remington Typewriter Co., rental 9 typewriters 2 months at \$4	72 00
H. S. Crocker Co., Inc., 8 National ring binders at \$0 90	7 20
Union Florist, floral piece to Sacramento	50 00

\$785 56

LEWIS, Chairman.

Resolution read.

Senator Creighton moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Jones, Lewis, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

On motion of Senator Crowley, Senate Bill No. 721 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office, and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water

may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 229 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 417 refused passage by the following vote:

AYES—Senators Canepa, Carr, Creighton, Crowley, Godsil, Harris, Hughes, Johnson, A. B., Johnson, M. B., Jones, McDonald, Rominger, Sample, Sharkey, Slater, and West—16.

NOES—Senators Allen, Boggs, Breed, Burnett, Chamberlin, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Lewis, Lyon, Nelson, Osborne, Powers, Rush, and Swing—21.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Dennett gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 417 was refused passage.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

On motion of Senator Powers, Senate Bill No. 84 was passed on file.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

On motion of Senator Canepa, Senate Bill No. 390 was passed on file.

Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof.

On motion of Senator Hurley, Senate Bill No. 249 was passed on file.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Crowley moved to reconsider the vote whereby Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created—was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Crowley, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1334 was passed, was continued until the next legislative day.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township officers with the county auditor.

In the absence of the author, Senate Bill No. 466 was passed on file.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 732—An act to amend section 1195a of the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 732 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Dennett moved to reconsider the vote whereby Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class—was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Dennett, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1137 was passed was continued until the next legislative day.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened, Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as case of urgency, Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Bill No. 999 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764c, relating to powers and duties of high school boards.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 388 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases;

Also: Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases;

Also: Assembly Bill No. 627—An act to amend section 1247 of the Penal Code relating to appeals in criminal cases.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 623 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 624 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 627 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 577—An act to amend the title and sections 1 and 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, so as to extend the scope of said act to all districts empowered to provide for the irrigation of lands, and to provide for the raising of revenue for the purposes of said act;

Also: Assembly Bill No. 366—An act to repeal chapter CCX, Statutes of 1899, chapter XCIX, Statutes of 1897, chapter CCCXXI, Statutes of 1909, chapter CDLXXVII, Statutes of 1921, and sections 1745, 1746, 1746a, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885a, 1886, 1887, 1888, 1888a, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1881, 1882, 1883, 1883a, 1883b, 1883c, 1883d, 1883e, 1883f, 1883g, 1884, 1885, 1885a, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds.

Also: Assembly Bill No. 829—An act to amend section 1557 of the Penal Code relating to accounts for returning fugitives.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 577 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 366 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 829 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates;

Also: Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State;

Also: Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library;

Also: Assembly Bill No. 1163—An act to amend section 12 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof" approved April 16, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 348 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 984 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 986 read first time, and referred to Committee on Education.

Assembly Bill No. 1163 read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 23. Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923, and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at three o'clock and thirty minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors:

Also: Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended:

Also: Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended:

Also: Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof:

Also: Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions;

Also: Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this first day of May, 1923, at eleven o'clock a.m.

GATES, DR., Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

SWING, Chairman.
SLATER.
CANEPA.
SHARKEY.
HANDY.
POWERS.
WEST.

Assembly Bill No. 407 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 73—An act to amend an act entitled, "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County;

Also: Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts;

Also: Assembly Bill No. 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

POWERS, Chairman.

Assembly Bills Nos. 73, 685 and 998 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly

or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work;

Also: Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work." approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 3½;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

POWERS, Chairman.

Assembly Bills Nos. 367 and 401 ordered on file for second reading.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 461—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

LYON, Chairman.

Senate Bill No. 461 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bill No. 116 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund;

Also: Assembly Bill No. 198—An act to amend section 3408d of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State,

where the State is entitled to make such selection for any reason; providing a method for the sale of indelibly copyrighted or copyrighted and uncopyrighted lands selected for him governmental lands in been enacted.

Also—Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 2805c, providing for the cancellation of assessments on certain lands of the State.

Also—Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 944 of the said code, relating to undertakings upon appeal.

Also—Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.

Also—Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of redeeming stock sold.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote—Ayes—9, absent—5.

JONES, Chairman.

Assembly Bills Nos. 39, 198, 199, 304, 603 and 607 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 775—An act to amend section 1664 relating to procedure in probate matters. Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote—Ayes—9, absent—5.

JONES, Chairman.

Assembly Bill No. 775 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1166—An act to amend section 2622 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transition subject to defeasance. Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote—Ayes—6, noes—4; absent—4.

JONES, Chairman.

Assembly Bill No. 1166 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 560—An act to amend section 791 of the Political Code, relating to notaries public, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote—Ayes—9, absent—5.

JONES, Chairman.

Senate Bill No. 560 ordered on file for second reading.

ON MOTOR VEHICLES

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 75—An act to amend section 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees thereon, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession of, or a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department, and to provide for the organization and conduct thereof, to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1913, as amended—has

had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—7; absent—6.

SHARKEY, Chairman.

Senate Bill No. 75 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1221—An act to amend section 3666a of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BURNETT, Chairman.

HANDY.

INGRAM.

NELSON.

CANEPA.

LYON.

GRAY.

Assembly Bill No. 1221 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Murphy:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act'," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act", approved June 3, 1921.

Request referred to Committee on Rules.

LEAVE OF ABSENCE.

Senator Crowley asked for and was granted consent for leave of absence for remainder of this legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—

(RESUMED).

Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

On motion of Senator Chamberlin, Senate Bill No. 536 was passed on file.

Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such

storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

On motion of Senator Harris, Senate Bill No. 731 was passed on file.

Senate Bill No. 146—An act to add a new section to be numbered section 5½ to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 146 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B. Lewis, McDonald, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 729 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B. Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR M'DONALD IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator McDonald of the twenty-third district was called to the chair.

Senate Bill No. 513—An act providing for the inspection of all places where food is served.

In the absence of the author, Senate Bill No. 513 was passed on file.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances.

Bill read second time, and ordered on file for third reading.

Assembly Joint Resolution No. 17—Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, line 18, after the word "further", insert the following:

"Resolved, That any moneys returned to the State of California under said, or any similar bill, be so returned to said State for the benefit of the several counties in which any such lands are situated, the same to be paid to said counties in the proportion in which said lands are so situated."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

Assembly Constitutional Amendment No. 6 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Powers moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—30.

The Secretary announced the absentees.

Time, two o'clock and forty-five minutes.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF SENATE.

RE-REFERENCE OF BILL.

On motion of Senator Godsil, Senate Bill No. 603 was taken from the file and re-referred to Committee on Fish and Game.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1250—An act to amend section 681a of the Code of Civil Procedure, relating to stay of execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1250 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 303—An act to amend sections 671 and 674 of the Code of Civil Procedure and to repeal section 671a of said code, relating to judgment liens and transcripts of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 303 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 298 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 299—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 299 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 300 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 305 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Eden, Gates, Dr., Godsil, Gray, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury.

Assembly Bill No. 66 passed on file.

Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 676 to Senator Canepa, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed amended bill, strike out the word "his" and insert in lieu thereof the word "their".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed amended bill, strike out the word "his" being the second word in said line, and insert in lieu thereof the word "the".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed amended bill, strike out the word "his" being the fifth word in said line, and insert in lieu thereof the word "their".

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed amended bill, after the word "accounts" strike out the comma and insert in lieu thereof a semicolon and the words "also excepting".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed amended bill, after the word "associations" strike out the comma and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SIX.

On page 1, line 24, of the printed bill, after the word "business" strike out the comma and insert in lieu thereof a semicolon and the following: "only licensed real estate agents and brokers".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 676, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Canepa, adopted.
Bill ordered to print.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section to be numbered 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Assembly Bill No. 336 passed on file.

Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, Dr., moved to refer Assembly Bill No. 204 to Senator Sharkey as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "ninety" and insert in lieu thereof the word "thirty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 204, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Gates, Dr., adopted.
Bill ordered to print.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Powers:

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 494 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hurley, Ingram, Johnson, M. B., Lewis, McDonald, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—22.

NOES—Senators Breed, Chamberlin, Harris, Hart, Hughes, Johnson, A. B., Jones, Nelson, and Rominger—9.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Sample gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 494 was passed.

Assembly Bill No. 1107—An act to amend an act defining the term, lowest responsible bidder, on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 28, 1876, approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof.

Assembly Bill No. 1107 passed on file.

Assembly Bill No. 974—An act to amend section 19x31 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an

act approved June 16, 1913, and all amendments thereto and all acts or parts of acts inconsistent herewith."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 974 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1114—An act to amend an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1114 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1323 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson,

M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 372 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more.

Assembly Bill No. 341 passed on file.

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Assembly Bill No. 196 passed on file.

Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 212 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 862—An act to amend section 626c of the Penal Code, relating to protection of deer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 862 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—28.

NOES—Senator McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 324—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 324 passed by the following vote:

AYES—Senators Allen, Breed, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Rominger, Rush, Sample, Slater, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 742 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608d to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Creighton moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—28.

The Secretary announced the absentees.

Time, at four o'clock.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 416 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Assembly Bill No. 113 passed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Creighton.

The Secretary was directed to call the roll, on passage of Assembly Bill No. 331, of the Senators who had not answered to their names.

The roll was called.

FURTHER CALL OF THE SENATE.

Pending the announcement of the vote, Senator Creighton moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and twelve minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Creighton.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 331 was refused passage by the following vote:

AYES—Senators Beggs, Canepa, Dennett, Gates, E. J. Godsil, Gray, Handy, Harris, Hurley, Ingram, Johnson, M. E. Jones, Lewis, McDonald, Nelson, Rush, Sharkey, Slater, and Swing—19.

NOES—Senators Allen, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr. Hart, Hughes, Johnson, A. B. Osborne, Powers, Rominger, Sample, and West—15.

NOTICE OF MOTION TO RECONSIDER.

Senator Creighton gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 331 was refused passage.

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

Assembly Bill No. 799 passed on file.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Assembly Bill No. 798 passed on file.

Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Assembly Bill No. 797 passed on file.

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the

appointment of a board to be known as the California State Board of Pharmacy," as amended.

Assembly Bill No. 800 passed on file.

Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district.

Assembly Bill No. 190 passed on file.

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

Assembly Bill No. 478 passed on file.

Assembly Bill No. 29—An act authorizing the establishment and government of port districts; providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 83 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Senator Breed, Senator McDonald declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Wednesday, May 2, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, May 1, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senator West was, on motion of Senator Gates, E. J., granted leave of absence for this day.

Senator Arbuckle was, on motion of Senator Gates, E. J., granted leave of absence for this day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Dennett moved to reconsider the vote whereby Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class—was passed.

The roll was called on the motion to reconsider the vote whereby Assembly Bill No. 1137 was passed and reconsideration granted by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rush, Sample, Sharkey, Slater, and Swing—28.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Dennett moved to refer Assembly Bill No. 1137 to Senator Harris as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, after line 2, insert the following:

"16a. The county traffic officer, two thousand one hundred dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the county traffic officer three deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of one thousand eight hundred dollars per annum which shall be paid by said county in monthly installments at the same time in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, for such traffic officer and his said deputies and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1137, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARRIS, Special Committee.

Report read, and on motion of Senator Dennett, adopted.

Bill ordered to print, and on unfinished business file.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Bill No. 1334 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Murphy, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1334 was passed was continued until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES

SENATE CHAMBER, SACRAMENTO, May 2, 1923

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Murphy to introduce a bill entitled—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inher-

ance Tax Act.' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921 has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership 5; committee vote: Ayes 5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—SENATORS, Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Den-
nett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes,
Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy,
Nelson, Powers, Rominger, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Murphy: Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921.

Senate Bill No. 739 read first time, and referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 461—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "amend", insert the following: "sections two, four, five, seven, ten, forty-three and forty-four of and to add two new sections to be numbered one *a* and ten *a*, to, and to repeal section twenty-five of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "An act entitled" and in lieu thereof insert the following:

"A new section is hereby added to an act entitled".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out line 2 and in lieu thereof insert the following: "to be numbered section one *a* and to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill strike out lines 3 to 52, both inclusive, all of pages 3 to 19, both inclusive, and in lieu thereof insert the following:

"SECTION 1. (a) The offices and headquarters of the state oil and gas supervisor shall be removed to and located and maintained in the city of Los Angeles. For the purpose of removing and establishing the offices and headquarters of said department of petroleum and gas to and in the city of Los Angeles, California, the state oil and gas supervisor shall remove to and establish and maintain in said Los Angeles office all records, engineering instruments, furniture, fixtures, supplies, maps, publications and property of every kind heretofore leased, rented, constructed or purchased for the department of petroleum and gas, and shall incur and pay from the funds created by this act the necessary expense incident to such transfer and removal.

SEC. 2. Section two of said act, approved June 10, 1915, as amended, is hereby amended to read as follows:

SEC. 2. For his services under this act, the state mineralogist shall receive as compensation one thousand four hundred dollars annually, which shall be in addition to any compensation received by him under any act. The deputy state mineralogist shall receive for his services a sum not to exceed twelve hundred dollars annually, which sum shall be in addition to any compensation received by him under any other act. The supervisor shall receive an annual salary of six thousand dollars, and shall be allowed his necessary traveling expenses. The state oil and gas supervisor may, subject to the civil service laws of the state, appoint one chief clerk at a salary of not to exceed two thousand four hundred dollars annually; fifteen office assistants or stenographers, each at a salary not to exceed one thousand eight hundred dollars annually; four geological draftsmen, each at a salary not to exceed two thousand one hundred dollars annually; six petroleum engineers, each at a salary not to exceed three thousand dollars annually; fifteen inspectors, each at a salary not to exceed two thousand four hundred dollars annually.

The additional salary herein authorized to be paid to the state mineralogist and his deputy and the salaries of the supervisor and of the deputies, clerks, stenographers, assistants, and other employees, shall be paid out of the funds hereinafter provided for at the times and in the manner that salaries of other state officers and employees are paid.

The time of all persons compensated under this section, except the state mineralogist and his deputy, shall be devoted exclusively to the performance of duties assigned to them by the state oil and gas supervisor.

SEC. 3. Section four of said act, approved June 10, 1915, as amended, is hereby amended to read as follows:

SEC. 4. It shall be the duty of the state oil and gas supervisor to appoint one chief deputy and five field deputies, one for each of the districts hereinafter provided for, and one field deputy-at-large, and prescribe their duties and fix their compensation, which compensation shall not exceed five thousand dollars per annum for the chief deputy, and shall not exceed four thousand five hundred dollars per annum for each field deputy or field deputy-at-large. Such deputies shall serve during the pleasure of the supervisor. The supervisor and the deputies shall not be subject to the civil service act. The attorney general of the State of California shall act as attorney, ex officio, for said department of petroleum and gas.

SEC. 4. Section five of said act approved June 10, 1915, as amended, is hereby amended to read as follows:

SEC. 5. The chief deputy appointed by the supervisor shall be a competent engineer or geologist experienced in the development and production of petroleum; and each field deputy or field deputy-at-large shall be either a competent engineer or geologist experienced in the development and production of petroleum or shall be competent and experienced oil operator having had not less than five years' actual experience in the oil fields of the State of California. At the time any field deputy is appointed (other than said field deputy-at-large) notice of such appointment shall be transmitted in writing to the board of commissioners of the district for which said deputy is appointed, which field deputy shall maintain an office in the district for which he is appointed, convenient of access to the petroleum and gas operators

therein. The office shall be open and the deputy shall be present at certain specified times which shall be posted at such office. In each district a sufficient corps of inspectors shall be employed and maintained so that inspection service can be furnished on Saturday afternoons, Sundays and other holidays, as well as on business days.

SEC. 5. Section seven of said act approved June 10, 1915, as amended, is hereby amended to read as follows:

SEC. 7. The records of any and all operators when filed with the deputy supervisor, as hereinafter provided, shall be open to inspection to those authorized in writing by such operators, to the state officers provided for in this act, and to the board of commissioners and the advisory board hereinafter provided for. Such records shall in no case, other than those hereinafter and in this section provided, be available as evidence in court proceedings, and no officer or employee or member of any board of commissioners or advisory board shall be allowed to give testimony as to the contents of said records, except at such court proceedings as are hereinafter provided for in the review of the decision of the state oil and gas supervisor or a board of commissioners, or in any proceedings initiated for the enforcement of an order of the supervisor, or any proceeding initiated for the enforcement of a lien created by this act, or any proceeding for the collection of the assessment levied under and pursuant to the provisions of this act or in criminal proceedings arising out of such records, or the statements upon which they are based, provided, however, that such records and testimony shall be available and may be used upon the written assent of the company or operator whose records or operations are involved.

SEC. 6. Section ten of said act approved June 10, 1915, as amended, is hereby amended to read as follows:

SEC. 10. For administrative purposes, from the funds levied, assessed and collected under the provisions of this said act as amended, there is hereby appropriated and will be transferred by the state treasurer to the general fund of the State of California, the sum of twelve thousand dollars per annum.

SEC. 7. A new section is hereby added to said act approved June 10, 1915, as amended, to be numbered section ten *a* and to read as follows:

SEC. 10*a*. An advisory board is hereby created to consist of seven members elected at the time, in the manner and for the term hereinafter provided. No person shall be eligible as a member of said advisory board who is not a resident of California, and who is not actually engaged in the business of oil or gas development or production within the state; nor shall any district oil and gas commissioner be eligible as a member of the advisory board.

The advisory board shall meet at Los Angeles, unless it shall otherwise determine, and shall hold meetings at regular intervals, to be fixed by such board, and shall meet at any time upon three days written notice upon the call of the secretary made at the request of the supervisor, or upon the call of the chairman or any three members of the board. The chief deputy oil and gas supervisor shall be the secretary of such advisory board and the chairman and vice-chairman of such board shall be elected by its members:

The duties of such advisory board shall be to obtain the necessary information relating to policies and methods for the protecting of the oil and gas sands and formations and preventing injury or damage thereto, and for preventing loss or waste of oil or gas; and it shall be the duty of such advisory board to advise the state oil and gas supervisor concerning the best and most practical methods and policies to be adopted and followed in the conduct of the duties of his office. The advice of the advisory board shall be for the assistance of the state oil and gas supervisor, but shall not be obligatory upon him. He shall sit with the board at all sessions.

The advisory board, for the purpose of performing its duties shall be entitled to the information and data in the hands of the state oil and gas supervisor or any of his deputies, and any information which is not of a public character shall be kept secret by the members of the advisory board. The advisory board shall have the right to inspect all records, maps and other data on file with the state oil and gas supervisor and to require the presence of any deputy supervisor, inspector, or other employee, and to interrogate him in respect to field conditions. Said board may also take the opinions and views of operators and other persons skilled in the oil business.

The seven members of the advisory board shall be elected at large for the entire state at the same times and places that elections are held under the provisions of section ten of this act for the election of district oil and gas commissioners. Such times and places and the details of each such meeting shall be fixed by the state oil and gas supervisor, and he shall give at least two weeks previous notice of such meeting and election by letter addressed to each of the persons, corporations and partnerships entitled to vote, as in section ten of this act specified, at his or its post office address or principal place of business. At said election in each district each of those entitled to vote therein may be represented by one person holding the written authority of such voter to act for him or it at such meeting. At such meeting and election, each voter shall be entitled to one vote for each of the seven members of the advisory board who are required to be selected. In addition thereto each voter shall be entitled for each one hundred dollars (\$100) or fraction thereof which said voter shall have paid in accordance with his last assessment under this act, to cast one vote for each of the members of said advisory board required to be

elected. The state oil and gas supervisor shall canvass the votes cast in the several districts and determine the total number of votes cast for each candidate, and declare and certify the election of the seven candidates receiving the highest number of votes, *provided* that in the case of voters entitled to vote in more than one district, but one vote of any such voter shall be considered for each candidate, aside from the number of votes to which said voter is entitled by reason of the amount of the last assessment paid by him under this act on account of property or operations within said respective districts.

The terms of office of each of the members of said advisory board shall be one (1) year from and after the date of their election and until their respective successors are elected and qualified.

SEC. 8. Section twenty-five of said act approved June 10, 1915, as amended, is hereby repealed.

SEC. 9. Section forty-three of said act approved June 10, 1915, as amended, is hereby amended to read as follows:

SEC. 43. Any person, firm, corporation or association claiming and protesting as herein provided that the assessment made or charges assessed against him or it by the state mineralogist is void, in whole or in part, may bring an action against the state treasurer for the recovery of the whole or any part of such charges, penalties or costs paid on such assessment, upon the grounds stated in said protest, but no action may be brought later than the third Monday in February next following the day upon which the charges were due, nor unless such person, firm, corporation or association shall have filed with the state controller at the time of payment such charges, a written protest stating whether the whole assessment or charge is claimed to be void, or if a part only, what part, and the grounds upon which such claim is founded, and when so paid under protest the payment shall in no case be regarded as voluntary.

Whenever, under the provisions of this section, an action is commenced against the state treasurer, a copy of the complaint and of the summons must be served upon the treasurer, or his deputy. At the time the treasurer demurs or answers, he may demand that the action be tried in the superior court of the county of Sacramento, which demand must be granted. The provisions of the Code of Civil Procedure relating to pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

A failure to begin such action within the time herein specified shall be a bar against the recovery of such charges. In any action the court shall have the power to render judgment for the plaintiff for any part or portion of the charge, penalties, or costs found to be void and so paid by plaintiff upon such assessment.

SEC. 10. Section forty-four of said act approved June 10, 1915, as amended, is hereby amended to read as follows:

SEC. 44. The state controller shall, on or before the thirtieth day of May next following the delinquency of any charge as provided in this act, bring an action in a court of competent jurisdiction, in the name of the people of the State of California, in the county in which the property assessed is situated, to collect any delinquent charges or assessments, together with any penalties or costs, which have not been paid in accordance with the provisions of this act and appearing delinquent upon the records of assessments and charges for the petroleum and gas fund in this action provided for.

The attorney general of California shall commence and prosecute such action to final judgment and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

Payments of the penalties and charges, or amount of the judgment recovered in such action must be made to the state treasurer. In such actions the record of assessment and charges for oil protection, or a copy of so much thereof as is applicable in said action, duly certified by the controller showing unpaid charges against any person, firm, corporation or association assessed by the state mineralogist is prima facie evidence of the assessment upon the property, the delinquency, the amount of charges, penalties, and costs due and unpaid to the state, and that the person, firm, corporation or association is indebted to the people of the State of California in the amount of charges and penalties therein appearing unpaid and that all the forms of law in relation to the assessment of such charges have been complied with."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 560—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 75 -An act to amend section 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1913, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title of the printed bill, strike out the word "section" and insert in lieu thereof the following, "sections 34 and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 24, of the title of the printed bill, strike out the figures "1913" and insert in lieu thereof the figures, "1915".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "thirty-five" and insert in lieu thereof the words "thirty-four".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, strike out the figures "35" and all the balance of said line and all of lines 21 to 35, both inclusive, and insert in lieu thereof the following:

"34. There is hereby created in the state treasury a fund which shall be known as the 'motor vehicle fund'. All moneys received by the department under any of the provisions of this act must be paid into the state treasury within twenty-four hours after the receipt thereof and shall be deposited to the credit of the motor vehicle fund, but if at any time such payment can not be made because of the intervention of a Sunday or a holiday, then such money shall be paid into the state treasury before twelve o'clock noon of the first business day following such Sunday or holiday; *provided, however*, that there is also hereby created in the state treasury a fund which shall be known as the 'transfer and operators' license fund,' and the moneys received by the department for transfers and for operators' and chauffeurs' licenses shall not be credited to the motor vehicle fund but to the credit of said transfer and operators' license fund. One-half of the net receipts under this act, except those credited to the transfer and operators' license fund, shall be paid from the motor vehicle fund to the counties from which the moneys were received, as determined by the places of residence of the persons to whom the registration certi-

cates are issued, and all such amounts so returned shall be paid into the road funds of the several counties receiving the same, and shall be expended by such counties exclusively in the construction and maintenance of roads, bridges and culverts in said counties respectively. The board of supervisors of any county, or city and county, which is empowered by law to expend money for the construction of public highways outside of its corporate limits, may expend any portion of the amounts paid to the said county, or city and county and deposited in the road fund thereof, as herein in this subdivision of this section directed, in and for the construction of public highways outside of its corporate limits and may, by ordinance of its board of supervisors, transfer said amounts to the account of the highway commission of the State of California and may by said ordinance specify and determine the route and type of construction of said highway, and the said amount thus transferred shall be expended by the said highway commission for the purpose specified and determined in said ordinance, and not otherwise. In the event that any county has not established a road fund, its proportion of said net receipts shall be retained by the state until provision for such road fund has been made, and it shall then be paid over. In the months of February and August of each year the department shall make to the controller a report setting forth the gross and net receipts for the preceding six months, and thereafter the controller shall draw his warrants upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which such county is entitled; *provided, nevertheless*, that the controller shall not draw such warrant in favor of any county which theretofore shall not have established a road fund or which shall be delinquent in its annual report to the state department of engineering as hereinafter required. Of the moneys in said motor vehicle fund, when such action has been authorized by the board of control, the department may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate ten thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year, or at any other time, upon demand of the board of control, the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the board of control and by the controller. All moneys remaining in the motor vehicle fund after the expenditure herein authorized, in addition to all sums that have been heretofore or that may be appropriated hereafter by the legislature for the same purpose, shall be expended under the direction of the state department of engineering for the maintenance and improvement of the state roads and highways under the jurisdiction of said department of engineering, and for the maintenance and improvement of roads and highways in state parks subject to the approval of the official or officials charged by law with the management and control of such parks, such moneys to be so drawn from said motor vehicle fund for the purpose of such maintenance and improvement upon warrants executed by the state controller upon demand made by the state department of engineering, and allowed and audited by the board of control. The transfer and operators' license fund and so much of the motor vehicle fund as may be necessary is hereby appropriated to be expended by the department in carrying out the provisions of this act; *provided, however*, that there shall not be so expended out of the motor vehicle fund in any one year more than ten per cent of said fund; *and provided, further*, that the board of supervisors of each county in the state shall make an annual report to the state department of engineering not later than three months after the close of the county's fiscal year, upon forms to be provided by the state department of engineering, showing the amount of moneys received from the motor vehicle fund during the preceding fiscal year and the disposition of said moneys, specifying in such detail as may be required by said department of engineering the roads, bridges and culverts constructed or maintained out of said moneys and the sums applied to the several items of such construction or maintenance; *and provided, further*, that whenever said report shall not have been duly filed in the manner and form hereby provided at or before the time hereinbefore specified, no further warrants shall be drawn upon the motor vehicle fund in favor of the county treasurer of such delinquent county until said report has been furnished."

Amendment adopted.

AMENDMENT NUMBER FIVE.

Add a new section to the printed bill to read as follows:

"SEC. 2. Section thirty-five of said act is amended to read as follows:

Sec. 35. Fines and forfeitures. (a) All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this act constituting a misdemeanor following an arrest of such person by any officer employed by a city, shall be paid into the city treasury and deposited in a special fund to be known as the "street improvement fund" which is hereby created and which shall be used exclusively in the construction, maintenance and improvement of public streets, bridges and culverts within such city. Failure, refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom.

The board of supervisors of any county, or city and county, which is empowered by law to expend money for the construction of public highways outside of its corporate limits, may expend any portion of the amounts paid to the said county, or city and county, as herein in this subdivision of this section directed, in and for the construction of public highways outside of its corporate limits, and may, by ordinance of its board of supervisors, transfer said amounts to the account of the highway commission of the State of California and may by said ordinance specify and determine the route and type of construction of said highway, and the said amount thus transferred shall be expended by the said highway commission for the purpose specified and determined in said ordinance and not otherwise.

(b) All fines or forfeitures collected upon conviction for violation of any of the provisions of this act following arrest by any officer employed by a county or city and county and whether collected by a justice of the peace, police court, city recorders court, city justice of the peace or otherwise shall be paid to the treasurer of the county or incorporated city and county in which the court is held and said moneys shall belong to such counties and cities and counties respectively and shall be used by the several counties and incorporated cities and counties solely in the construction, maintenance and improvement of roads, streets, bridges and culverts within their respective limits and for no other purpose.

The board of supervisors of any county, or city and county, which is empowered by law to expend money for the construction of public highways outside of its corporate limits, may expend any portion of the amounts paid to the said county, or city and county, as herein in this subdivision of this section directed, in and for the construction of public highways outside of its corporate limits, and may, by ordinance of its board of supervisors, transfer said amounts to the account of the highway commission of the State of California and may by said ordinance specify and determine the route and type of construction of said highway, and the said amount thus transferred shall be expended by the said highway commission for the purpose specified and determined in said ordinance, and not otherwise."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

In the absence of the author, Senate Bill No. 721 was passed on file.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 536—An act to amend section 1612 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

On motion of Senator Chamberlin, Senate Bill No. 536 was passed on file.

Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and

for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

On motion of Senator Harris, Senate Bill No. 731 was passed on file.

Senate Bill No. 513—An act providing for the inspection of all places where food is served.

On motion of Senator Lyon, Senate Bill No. 513 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

Bill read third time.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sample moved to refer Senate Bill No. 84 to Senator Rominger, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 1, 2, and 3, of the printed bill, strike out the words "railroad or railway company, operating its line of road in, into, or through, the State of California," and insert in lieu thereof the following: "person, firm, or corporation".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the following: "division points or terminals," and insert in lieu thereof the following: "plants, factories, branches, division points, or terminals".

AMENDMENT NUMBER THREE.

On page 1, lines 4 and 5, of the printed bill, strike out the following: "railroad or railway company" and insert in lieu thereof the following: "person, firm or corporation".

AMENDMENT NUMBER FOUR.

On page 1, lines 8 and 9, of the printed bill, strike out the following: "division point or terminal" and insert in lieu thereof the following: "plant, factory, branch, division points, or terminals".

AMENDMENT NUMBER FIVE.

On page 1, line 12, of the printed bill, strike out the words "railroad or railway company" and insert in lieu thereof the following: "person, firm, or corporation".

AMENDMENT NUMBER SIX.

On page 1, lines 13 and 14, of the printed bill, strike out the words "division point or terminal" and insert in lieu thereof the following: "plant, factory, branch, division point, or terminals".

AMENDMENT NUMBER SEVEN.

On page 1, line 15, of the printed bill, strike out the words "station house" and insert in lieu thereof the following: "offices".

AMENDMENT NUMBER EIGHT.

On page 1, lines 19 and 20, strike out the following: "such division point or terminal" and insert in lieu thereof the following: "plant, factory, branch, division point, or terminal".

ROLL CALL DEMANDED.

A roll call was demanded by Senators Inman, Sharkey and Sample on motion to refer to Special Committee of One to amend Senate Bill No. 84.

The roll was called, and the motion to refer lost by the following vote:

AYES—Senators Allen, Chamberlin, Eden, Gates, E. J., Gray, Johnson, A. B., Rominger, and Sample—8.

NOES—Senators Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and Swing—28.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 84 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Gates, Dr., Godsil, Gray, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—27.

NOES—Senators Breed, Burnett, Chamberlin, Eden, Gates, E. J., Handy, Hart, Johnson, A. B., and Rominger—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof.

On motion of Senator Hurley, Senate Bill No. 249 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26 and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

PERSONAL PRIVILEGE.

It has been called to my attention that in a recent issue of the Alameda County "Union Labor Record" the following occurred, being credited to Senator Hurley:

"The so-called anti-alien fish bill was shown up to be a joker. Whether it was a cinch bill in which an attempt was being made to hold up some one one can only surmise."

Notice is hereby given, that upon May 3, 1923, said matter will be called up on the floor of the Senate by Senator Inman upon a question of personal privilege, and Senator Hurley will be called upon to do one of the following:

1. Disavow said language in toto!
2. Prove the truth thereof, or to justify the same!
3. If he admits the correctness of the language and his authorship thereof to offer an apology for the same or:
4. Answer to Senator Inman and to the Senate for said language.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Dennett moved to reconsider the vote whereby Senate Bill No. 417 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Dennett, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 417 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Creighton moved to reconsider the vote whereby Assembly Bill No. 331 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Creighton, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 331 was refused passage was continued until the next legislative day.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Concurrent Resolution No. 8 read and referred to Committee on Military Affairs.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 457—An act to amend section 464 of the Penal Code, relating to burglary and the punishment thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

JONES, Chairman.
EDEN.
BURNETT.
INMAN.
JOHNSON.
HARRIS.
SWING.
SAMPLE.
LYON.
CHAMBERLIN.
DENNETT.

Senate Bill No. 457 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to levee district No. 1 of Sutter County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

RUSH, Chairman.

Assembly Bill No. 74 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 720—An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—5; committee vote: Ayes—4; absent—1.

HUGHES, Chairman.

Senate Bill No. 720 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

HUGHES, Chairman.

Assembly Bill No. 1121 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

HUGHES, Chairman.
SLATER.
BURNETT.

Assembly Concurrent Resolution No. 8 ordered on file.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

JOHNSON, M. B., Chairman.

Assembly Bill No. 409 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of act inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Assembly Bill No. 810 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 696—An act to amend sections five and six of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

ROMINGER, Chairman.

Senate Bill No. 696 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—9; absent—6.

ROMINGER, Chairman.

Senate Bill No. 507 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5.

EDEN, Chairman.

Assembly Joint Resolution No. 21 ordered on file.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to the establishment of chambers by judges of the superior court in cities other than the county seat.

Also: Assembly Bill No. 1100—An act permitting the insertion of provisions in contracts for public work for the arbitration of disputes arising under such contracts or in the performance of the work thereunder between the contracting parties:

Also: Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1157 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1100 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 368 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees:

Also: Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 628 read first time, and referred to Committee on County Government.

Assembly Bill No. 631 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149e and 4149f, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office:

Also: Assembly Bill No. 574—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 15 and 15c thereof, relating to the general powers of the board of directors of irrigation districts and providing for the creation of a revolving fund:

Also: Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1314 read first time, and referred to Committee on County Government.

Assembly Bill No. 574 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 749 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1324—An act to amend section 19a26 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the twenty-sixth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1324 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 26—Relative to proposal of an amendment to the Constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Joint Resolution No. 26 read and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused adoption of Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk

products, to promote the conservation of forests, the use of fire products, providing for the enforcement and promoting policies for the various areas.

Roll read second time, and ordered as for third reading.

Assembly Bill No. 1270—As yet in second section 7 of an act entitled "An act to bring agricultural markets to provide for the domestic, exportation and export of agricultural commodities therein, and for the management and control of the same by the State, and providing all acts and portions of acts in conflict with this act," approved April 27, 1922.

Roll read second time, and ordered as for third reading.

Assembly Bill No. 1271—As yet in second section 4941 of the Political Code, relating to the election, term and suspension of officers in counties of the twenty-sixth class.

Roll read second time, and ordered as for third reading.

Assembly Bill No. 1272—As yet in second section 4942 of the Political Code, relating to the election, term and suspension of officers in counties of the twenty-sixth class.

Roll read second time, and ordered as for third reading.

Assembly Bill No. 1273—As yet in second section 4943 of the Political Code, relating to the election, term and suspension of officers in counties of the twenty-sixth class.

Roll read second time, and ordered as for third reading.

Assembly Bill No. 1274—As yet in second section 4944 of the Political Code, relating to the election, term and suspension of officers in counties of the twenty-sixth class.

Roll read second time, and ordered as for third reading.

Assembly Bill No. 1275—As yet in second section 4945 of the Political Code, relating to the suspension of officers in counties of the third class.

Roll read second time, and ordered as for third reading.

Assembly Bill No. 1276—As yet in second section 4946 of the Political Code, relating to the suspension of officers in counties of the twenty-third class.

Roll read second time, and ordered as for third reading.

Assembly Concurrent Resolution No. 11—A resolution to propose to the people of the State of California to amend section 14 of article III of the constitution, relative to taxation.

CONSTITUTIONAL AMENDMENT

During the reading of the constitutional amendment, the following questions pertaining were offered:

AMENDMENT OFFERED

The page 4 had all of the printed and written and had read "thereby" and in the second clause the word "and"

Amendment adopted

AMENDMENT NUMBER TWO.

On page 1, line 25, of the printed bill, strike out the word "including" and in lieu thereof insert the word "and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 21 and in lieu thereof insert the following: "railroad companies, seven per cent: on all street railways, herein defined to include interurban electric railways and gasoline propelled railways, five and one-quarter per cent;"

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, strike out the word "three" and in lieu thereof insert the words "five and one-quarter".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed bill, strike out the word "two" and in lieu thereof insert the word "one".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 27, of the printed bill, strike out the word "three" and in lieu thereof insert the word "five".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 28, of the printed bill, strike out the word "four" and in lieu thereof insert the words "seven and one-half".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, lines 42 and 43, of the printed bill, strike out the words "one and one-half" and in lieu thereof insert the words "two and sixty hundredths".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 47, of the printed bill, strike out the words "one and one-half" and in lieu thereof insert the words "two and sixty hundredths".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 20, of the printed bill, strike out the word "one" and in lieu thereof insert the words "one and forty-five hundredths".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 27, of the printed bill, after the word "one" insert the words "and six tenths".

Amendment adopted.

Constitutional Amendment No. 51 read, ordered to print, and on file.

Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, after line 3, insert the following:

"16. The county traffic officer, two thousand two hundred dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy, which office is hereby created. Said deputy shall be appointed by said county traffic officer and shall receive a salary of two thousand two hundred dollars per annum which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid. Said traffic officer and his deputy shall provide their own motorcycles or other vehicles and shall pay all of the expense of the upkeep of such machines and the said county shall provide gasoline and oil for the purpose of propelling the same; *and provided, further*, that there shall be and there is allowed to the county traffic officer a sum not to exceed one thousand two hundred dollars in any one year to be used in carrying out the duties of his office. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputy whenever said office of county traffic officer is created by law."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 4, of the printed bill, strike out the number "16" and in lieu thereof insert the number "17".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of the matter after the word "deputy" in line 7, to and including the word "annum" in line 8 of the said page, and insert in lieu thereof the following: "during the months of May, June, July and August of each year, which office is hereby created, at a salary of two hundred dollars per month."

Amendment adopted.

Bill ordered to print, and on file for third reading.

Assembly Bill No. 73—An act to amend an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places, and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the

maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 21, of the printed bill, strike out the period (.) and insert in lieu thereof the following: "*provided, however,* that nothing herein contained shall be deemed to vest jurisdiction or power in the board of supervisors to do any of the aforementioned work upon any highway, street, avenue, lane, alley, court or place lying wholly or partly within the boundary of any incorporated city until the consent of the legislative body of such incorporated city shall first be obtained for the use for such purposes of the highway, street, avenue, lane, alley, court or place."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 3½.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 11, of the printed bill, strike out all of subdivision "(f)".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 12, of the printed bill, strike out the letter "g" in parenthesis, and insert in lieu thereof the letter "f".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 16, of the printed bill, strike out all of subdivision "(h)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 20, of the printed bill, strike out the letter "i" in parenthesis, and insert in lieu thereof the letter "g".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 23, of the printed bill, strike out the letter "j" in parenthesis, and insert in lieu thereof the letter "h".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 28, of the printed bill, strike out the letter "k" in parenthesis, and insert in lieu thereof the letter "i".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 198—An act to amend section 3408d of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason; providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805c, providing for the cancellation of assessments on certain lands of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 775—An act to amend section 1664, relating to procedure in probate matters.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the comma following the word "four" and insert in lieu thereof the following: "of the Code of Civil Procedure."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 6 of the amended bill, as amended in the Assembly, after the word "sale" insert the word "of".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 7 of the amended bill, after the comma following the word "condition" insert the following: "notice of sale shall be given as in case of sale of real property under execution, and the property so sold".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 10 of the amended bill, strike out the words "in no case exceed" and insert in lieu thereof the words "be within".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 10 of the amended bill, strike out the word "six" and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1221—An act to amend section 3666a of the Political Code, relating to the report of the insurance commissioner to the state board of equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259a, relating to the fees and mileage of jurors in counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1262---An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1310---An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1335---An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class.

Assembly Bill No. 1335 passed on file.

CONSIDERATION OF DAILY FILE---THIRD READING OF ASSEMBLY BILLS.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and twenty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Assembly Bill No. 676 An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 676 passed by the following vote:

AYES---Senators Allen, Boggs, Breed, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and Swing---25.

NOES---None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR MURPHY IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator Murphy of the twenty-fourth district was called to the chair.

Assembly Bill No. 66---An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gray moved to refer Assembly Bill No. 66 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after the word "Procedure" insert the following: ", with the consent of the grand jury."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 66, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Gray, adopted.
Bill ordered to print.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½, to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Assembly Bill No. 336 passed on file.

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Assembly Bill No. 196 passed on file.

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

Assembly Bill No. 799 passed on file.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Assembly Bill No. 798 passed on file.

Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Assembly Bill No. 797 passed on file.

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.

Assembly Bill No. 800 passed on file.

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates

of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

Assembly Bill No. 478 passed on file.

Assembly Bill No. 1107—An act to amend an act defining the term, lowest responsible bidder, on behalf of the state in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or State improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the state in relation to erections and buildings," approved March 28, 1876, approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Handy moved to refer Assembly Bill No. 1107 to Senator Nelson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, as amended April 26, 1923, after the word "state" insert the following: "relating to the doing of public work".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1107, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Handy, adopted.

Bill ordered to print.

Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Assembly Bill No. 113 passed on file.

Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1299 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 921 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennet, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 341 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Sample moved to reconsider the vote whereby Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof—was passed.

The roll was called on the motion to reconsider the vote whereby Assembly Bill No. 494 was passed and reconsideration granted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 494 to Senator Dennett, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "place of public assemblage," and insert in lieu thereof the words "regular motion picture house or theatre."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 494, with instructions to amend, respectfully reports the same back, amended as per instructions.

DENNETT, Special Committee.

Report read, and on motion of Senator Boggs, adopted.
Bill ordered to print and on unfinished business file.

Assembly Joint Resolution No. 17—Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Assembly Joint Resolution No. 17 ordered transmitted to the Assembly.

Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 204 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Creighton, Eden, Gates, Dr., Godsfil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 190 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Chamberlin, Creighton, Dennett, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 921 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennet, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 341 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Sample moved to reconsider the vote whereby Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof—was passed.

The roll was called on the motion to reconsider the vote whereby Assembly Bill No. 494 was passed and reconsideration granted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 494 to Senator Dennett, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "place of public assemblage," and insert in lieu thereof the words "regular motion picture house or theatre."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 494, with instructions to amend, respectfully reports the same back, amended as per instructions.

DENNETT, Special Committee.

Report read, and on motion of Senator Boggs, adopted.
Bill ordered to print and on unfinished business file.

Assembly Joint Resolution No. 17—Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Assembly Joint Resolution No. 17 ordered transmitted to the Assembly.

Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 204 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 190 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Chamberlin, Creighton, Dennett, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator McDonald moved that Assembly Constitutional Amendment No. 6 be made a special order for Thursday, May 3, 1923, at twelve-thirty o'clock.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During the third reading of the bill Senator Inman moved to refer Senate Bill No. 466 to Senator Sample, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.*

In line 4 of the title strike out the word "officers" and insert in lieu thereof the word "offices".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 466, with instructions to amend, respectfully reports the same back, amended as per instructions.

SAMPLE, Special Committee.

Report read, and on motion of Senator Inman, adopted.
Bill ordered to print, and re-engrossment.

UNFINISHED BUSINESS.

Senator Lyon asked unanimous consent to take up Senate Bill No. 593.

Senate Bill No. 593—An act amending the Political Code by adding a new section to chapter II, title I, part IV thereof, such section to be numbered 3968, relating to the change of county boundaries.

VETO OF GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—28.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(OUT OF ORDER).

The following Senate Joint Resolution was offered:

By Senator Lewis: Senate Joint Resolution No. 20—Relative to memorializing Congress to enact legislation increasing the present two cent postage rate to three cents.

Senate Joint Resolution No. 20 read, and referred to Committee on Federal Relations.

ADJOURNMENT.

At three o'clock and ten minutes p.m., on motion of Senator Breed, Senator Murphy declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, May 3, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Rev. David C. Williams, Assemblyman from the forty-ninth district.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, May 2, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator West was, on motion of Senator Hurley, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Carr, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Jas. F. Drew, Chief of Police, J. F. Lynch, Captain of Police, and Frank Merritt, Deputy City Clerk of Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Ed. P. Sample, wife of Senator Sample of San Diego, and her daughters, Betty Lou and Edwina Belle Sample.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. and Mrs. G. Merritt of San Francisco.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Edward J. Tyrrell, Judge of Oakland Township, Oakland.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. John S. Ross of Mendocino.

PERSONAL PRIVILEGES.

Senator Inman addressed the Senate on the question of personal privilege.

Senator Hurley addressed the Senate on the question of personal privilege.

Senator Inman addressed the Senate on the question of personal privilege.

COMMUNICATIONS.

The following communication was received from Senator Inman and ordered printed in the Journal:

CALIFORNIA STATE FEDERATION OF LABOR,
LEGISLATIVE HEADQUARTERS,
SACRAMENTO, May 3, 1923.

Senator J. M. Inman,
Senate Chamber, Sacramento.

MY DEAR SENATOR: My attention has been called to the insinuation that Senate Bill No. 64 may be classed as a "cinch bill".

In order that there may be no misunderstanding, I take the liberty of summarizing the facts in connection with Senate Bill No. 64.

Senate Bill No. 64 was introduced by you at my request. The bill was drafted by the executive committee of the Japanese Exclusion League, on which committee the following well-known organizations are represented. The Native Sons of California, the American Legion, the California State Federation of Labor and others.

After formal approval by the executive committee of the Japanese Exclusion League, the bill was given to me for introduction in the Legislature. I asked you to introduce the bill.

(1) Because you have always been willing to make a fight "to keep California white", and

(2) Because it is generally agreed that you can not be bought, bribed or bluffed by the pro-Japanese interests.

With all good wishes, I am sincerely yours,

PAUL SCHIARRENBERG,
Secretary-Treasurer.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure relating to vacation of judgments;

Also: Assembly Bill No. 171—An act to amend section 663a of the Code of Civil Procedure, relating to notice of intention to vacate judgment and the granting of new trial;

Also: Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 170 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 171 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 323 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure relating to decision upon trial by court;

Also: Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure relating to special decisions of the court;

Also: Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure relating to entry of judgment;

Also: Assembly Bill No. 169—An act to amend section 634 of the Code of Civil Procedure, relating to waiver of findings of fact.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 166 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 167 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 168 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 169 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California:

Also: Assembly Bill No. 420—An act to add a new section, to be numbered section 89, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended relating to reports to be made by physicians to police authorities:

Also: Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872:

Also: Assembly Bill No. 764—An act to amend section 626j of the Penal Code, relating to the running of deer by dogs.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1122 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 420 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1124 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 764 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act:

Also: Assembly Bill No. 711—An act to amend section 208 of the Penal Code and to add a new section to said code to be numbered 207a, relating to kidnapping;

Also: Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 'CXIV' of California Statutes of 1917, relating to the same subject.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 430 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 711 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 263 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21 $\frac{1}{2}$, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add six new sections to be numbered 2a, 14a, 14b, 21a, 21b, 22a, and 29a—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

ROMINGER, Chairman.
CROWLEY.
INGRAM.
HANDY.
GATES, DR.
CREIGHTON.
GRAY.
HART.
HURLEY.
POWERS.

Senate Bill No. 603 ordered on file for second reading.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

INGRAM, Chairman.

Assembly Bill No. 259 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to relate to institutions of industry:

Also: Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913;

Also: Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bills Nos. 815, 364 and 392 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bill No. 588 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041g, relating to powers of supervisors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bill No. 881 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Assembly Bill No. 564 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32a, relating to the issuing of funding or refunding bonds of such districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Assembly Bill No. 568 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto;

Also: Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts;

Also: Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32b, relating to the creation of an irrigation district bond security fund;

Also: Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Assembly Bills Nos. 316, 563, 579 and 1311 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms;

Also: Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees;

Also: Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919;

Also: Assembly Bill No. 317—An act authorizing counties, cities and cities and counties to provide public entertainments and to charge admission therefor; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bills Nos. 823, 631, 628, 1315 and 317 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149e and 4149f, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office;

Also: Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bills Nos. 13, 14 and 499 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 796—An act to amend section 4300a of the Political Code, relating to the fees of the county clerk—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bill No. 796 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bill No. 1321 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Assembly Bill No. 80 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened

and rejected—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman

Assembly Bill No. 1293 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

INMAN, Chairman.

Assembly Bill No. 1051 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—4.

INMAN, Chairman.

Assembly Bill No. 749 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of state improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply:

Also: Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties;

Also: Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended;

Also: Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

CARR, Chairman.

Assembly Bills Nos. 318, 501, 924 and 1074 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same" which became a law, under constitutional provision, without Governor's approval, March 1, 1897;

Also: Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards, approved March 19, 1889";

Also: Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose", which became a law, under constitutional provision, without Governor's approval, March 1, 1897;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

CARR, Chairman.

Assembly Bills Nos. 1198, 1199 and 1201 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

SWING, Chairman.

Senate Bill No. 356 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 296—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

INMAN, Chairman.

Senate Bill No. 296 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, Chairman.

Assembly Bill No. 795 ordered on file for second reading.

RE-REFERENCE OF BILL.

Senator Nelson asked for and was granted unanimous consent to have Assembly Bill No. 366 taken from Committee on Revenue and Taxation, and re-referred to Committee on Education.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Johnson, A. B.: Senate Concurrent Resolution No. 24—Relative to approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923.

Senate Concurrent Resolution No. 24 referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 457—An act to amend section 464 of the Penal Code, relating to burglary and the punishment thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title following the word "hundred" and all of line 2 and in lieu thereof insert the following: "sixty of the Penal Code relating to the degrees of burglary".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the period, all of lines 2 to 11, both inclusive, and in lieu thereof insert the following: "Section four hundred sixty of the Penal Code is hereby amended to read as follows:

460. 1. Every burglary of an inhabited dwelling house or building by a person armed with a deadly weapon or who arms himself therein with such weapon or who, while in the commission of such burglary assaults any person therein, and every other burglary whether committed in the night time or day time by a person armed with a deadly weapon whether in an inhabited dwelling or other building or structure or not, is burglary of the first degree.

2. Every burglary of an inhabited dwelling house and every burglary committed in the night time by a person not armed with a deadly weapon, is burglary of the second degree.

3. All other kinds of burglary are of the third degree."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 720—An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill strike out beginning with the word "organization" to and including the word "veterans" and insert in lieu thereof the following: "organizations of disabled service men, Grand Army of the Republic and Spanish War Veterans."

Amendment adopted.

is hereby extended to include all places where food is served to the public for profit. Whenever by any law of the State of California any restrictions are applied to hotels, boarding houses, apartment houses, or restaurants regarding sanitary conditions or inspection, the same restrictions, inspections or conditions shall be applied to all places where food is served to the public for profit."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

HART, Special Committee.

Report read, and on motion of Senator Lyon, Senate Bill No. 513 ordered to print, and re-engrossment.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "office" strike out the words "until his", and on line 5 the words "successor is appointed and qualified" and insert in lieu thereof the following: "at the pleasure of the governor".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the child labor law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

Bill read second time, and ordered on file for third reading.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

AMENDMENTS FROM THE FLOOR.

During reading of the constitutional amendment the following amendments were offered and their adoption moved by Senator McDonald:

AMENDMENT NUMBER ONE.

In lines 11 and 12 of the amended resolution, omit the semicolon and the words "to be paid monthly during" and insert in lieu thereof a comma, and the words "to be paid monthly in."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 13 of the amended resolution, omit the words "legislative session during," and insert in lieu thereof the words "regular legislative session in."

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 13 of the amended resolution, before the semicolon insert the words "at such times as may be provided by law."

Amendment adopted.

AMENDMENT NUMBER FOUR.

Omit lines 15, 16, 17 and the letters "sion" in line 18, and insert in lieu thereof the letters and words: "ury, such mileage not to exceed five cents per mile."

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 21, omit the first comma.

Amendment adopted.

Constitutional Amendment No. 23 read, and ordered to print, engrossment, and on file.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 66 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 478 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—28.

NOES—Senator Allen—1.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Chamberlin gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 478 was passed.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 1107—An act to amend an act defining the term, lowest responsible bidder, on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road or State improvement of any kind and to repeal an act entitled "An act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 28, 1876, approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1107 passed by the following vote:

AYES—Senators Arbuttle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rush, Sharkey, Slater, and Swing—26.

NOES—Senators Allen, Chamberlin, Hart, Johnson, A. B., Lyon, Osborne, Rominger, and Sample—8.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Swing gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1107 was passed.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Constitutional Amendment No. 6, heretofore set as a special order for twelve o'clock and thirty minutes p.m., the same was taken up for consideration.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing and sparring matches or exhibitions.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 6 refused adoption by the following vote:

AYES—Senators Canepa, Carr, Chamberlin, Crowley, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, McDonald, and Sharkey—12.

NOES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Creighton, Dennett, Eden, Gates, E. J., Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—27.

NOTICE OF MOTION TO RECONSIDER.

Senator Murphy gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Constitutional Amendment No. 6 was refused adoption.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—16.

GATES, E. J., Chairman.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, following line 17, insert:

"For traveling expenses of the state board of equalization such sum or sums as are provided in section three thousand seven hundred two of the Political Code".

Amendment adopted.

AMENDMENT NUMBER TWO.

Immediately following amendment No. 1 insert:

"For investigations and appraisements, state board of equalization, such sum or sums as are provided in chapter four hundred twenty-eight, Statutes of 1921".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, following line 19, insert:

"For support of orphans such sum or sums as are provided in section two thousand two hundred eighty-three of the Political Code".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, following line 18, insert:

"For purchase of land California Redwood Park such sum or sums as are provided in chapter six hundred ninety, Statutes of 1917".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 10 of the printed bill, following line 29, insert:

"For statistics State Agricultural Society such sum or sums as are provided in chapter five hundred eighty-four, Statutes of 1911".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 10 of the printed bill, following line 49, insert:

"For support of California Highway Commission all revenues from bond sales under authority of section two, article sixteen of the constitution; all revenues from motor vehicle registration, as provided in chapter one hundred eighty-eight, Statutes of 1915 and amendments thereto; all receipts from the federal government under an act of Congress and authority provided by chapter five hundred thirty-seven, Statutes of 1917".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Immediately following amendment number 6 insert:

"For highway bond interest and redemption such sum or sums as are provided in chapter three hundred eighty-three, Statutes of 1909; chapter four hundred four, Statutes of 1915; chapter ninety-three, Statutes of 1919".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, following line 18, insert:

"For investigation of water resources such sum or sums as are provided in chapter seven hundred four, Statutes of 1909".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11 of the printed bill, following line 32, insert:

"For Sacramento and San Joaquin drainage district number six such sum or sums as are provided in chapter five hundred fifty-six, Statutes of 1919".

Amendment adopted.

AMENDMENT NUMBER TEN.

Immediately following amendment number 9 insert:

"For Los Angeles flood control such sum or sums as are provided in chapter seven hundred forty-nine, Statutes of 1921".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

Immediately following amendment number 10 insert:

"For uses veterans welfare board for purchase of farms and homes such sum or sums as are provided in initiative act approved November 7, 1922".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 11 of the printed bill, following line 50, insert:

"For vocational rehabilitation such sum or sums as are provided in chapter seven hundred fifty-eight, Statutes of 1921".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

Immediately following amendment No. 12 insert:

"For vocational education (Smith-Hughes act) such sum or sums as are provided in chapter seven hundred twenty, Statutes of 1917".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

Immediately following amendment No. 13 insert:

"For teachers permanent fund such sum or sums as are provided in chapter six hundred ninety-four, Statutes of 1913".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 12 of the printed bill, following line 4, insert:

"For text books for orphans such sum or sums as are provided in chapter four hundred seventy-two, Statutes of 1907".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

Immediately following amendment No. 15 insert:

"For support of elementary schools such sum or sums as are provided in section six of article nine of the constitution".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

Immediately following amendment No. 16 insert:

"For support of secondary schools such sum or sums as are provided in section six of article nine of the constitution".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

Immediately following amendment No. 17 insert:

"For support of junior colleges such sum or sums as are provided in chapter four hundred seventy, Statutes of 1921".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 12 of the printed bill, following line 15, insert:

"For university building interest and redemption of bonds such sum or sums as are provided in chapter nine hundred twenty-three, Statutes of 1915".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 14 of the printed bill, following line 12, insert:

"For veterans educational institute such sum or sums as are provided in chapter five hundred seventy-nine, Statutes of 1921".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 14 of the printed bill, following line 19, insert:

"For Sacramento building interest and redemption of bonds such sum or sums as are provided in chapter two hundred thirty-nine, Statutes of 1913".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

Immediately following amendment No. 21 insert:

"For San Francisco building interest and redemption of bonds such sum or sums as are provided in chapter five hundred forty-one, Statutes of 1913".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

Immediately following amendment No. 22 insert:

"For interest and sinking fund such sum or sums as are provided in chapter sixty-five, Statutes of 1893".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

Immediately following amendment No. 23 insert:

"For principal and interest on bond debts of cities and counties, such sum or sums as are provided in chapter three hundred thirty-five, Statutes of 1911".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 6 of the printed bill strike out all of lines 20, 21, 22, 23 and 24 and insert in lieu thereof:

"For salaries and support of the state real estate department such sum or sums as are provided in chapter six hundred five, Statutes of 1919, and the amendments thereto, such amounts to be paid from the real estate commissioner's fund created thereby."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 11 of the printed bill strike out all of lines 28, 29, 30, 31 and 32 and insert in lieu thereof:

"For salaries, support and permanent improvements for the fish and game commission such sum of moneys as are provided in chapter two hundred fifty-six, Statutes of 1909 and all amendments thereto, such payments to be made from the fish and game preservation fund created thereby."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 15, line 52, of the printed bill, following the words "by this act", strike out the period and insert the following: "; provided that the state controller shall at the request of the state director of education set over and transfer from the appropriations for salaries and support for the several teachers colleges and special schools, an amount not exceeding one per cent. of such appropriations and the amount so transferred shall be designated as the administrative allotment of the state department of education and shall be available for use by the director of education for the payment of the salaries and support of the general administrative office of the division of normal and special schools during the seventy-fifth and seventy-sixth fiscal years."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3 of the printed bill, beginning with the word "For" strike out all of lines 30 to 37, both inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 21, of the printed bill, after the word "state" insert the words "board of".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 5, line 24, of the printed bill, after the word "support" insert the word "state".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 12, line 4, of the printed bill, after the period following the word "dollars" add the following:

"For support, salaries, permanent improvements and repairs, southern branch University of California, one million four hundred fifty thousand dollars."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 7, line 13, of the printed bill, strike out the words "permanent improvements" and insert in lieu thereof the word "repair".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 16, line 26, of the printed bill, strike out the period and insert in lieu thereof "and property of San Francisco harbor."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, line 11, of the printed bill, strike out the word "forty" and insert the word "fifty-five".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 10 of the printed bill, strike out all of line 10 and insert the following: "Forestry twenty-five thousand and eighty dollars."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 7 of the printed bill, after line 14, insert the following:

"For purchase of land, Women's Relief Corps Home, five thousand dollars."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

HOUR OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until one o'clock and thirty minutes p.m.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 731 passed by the following vote:

AYES—Senators Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, and Swing—26.

NOES—Senators Allen, Arbuckle, Breed, Burnett, Chamberlin, Gates, Dr., Gates, E. J., Gray, Hart, Johnson, A. B., Lyon, and Rominger—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Assistant Secretary G. Melvin Warren at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read, out of the regular order:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office;

Also: Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended, and be re-referred to Committee on Finance.

(Signed out)

McDONALD, Chairman.
MURPHY.
NELSON.
DENNETT.
INGRAM.
JOHNSON, M. B.

Senate Bills Nos. 492 and 493 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—6; noes—5; absent—3.

JONES, Chairman

Assembly Bill No. 13 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bill No. 807 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 738—An act to amend section 19x5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

JONES, Chairman.
JOHNSON, M. B.
WEST.
LYON.
CARR.
HARRIS.
BURNETT.
SAMPLE.
EDEN.
CHAMBERLIN.
INMAN.

Senate Bill No. 738 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add two new sections to be numbered 1a and 10a, and to repeal section 25 of an act entitled "An act establishing and creating a department of the State Mining Bureau

for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended:

Also: Senate Bill No. 540—An act to amend section 791 of the Political Code, relating to notaries public;

Also: Senate Bill No. 75—An act to amend sections 34 and 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended:
And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Manufactures, to which was referred Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GODSIL, Chairman.
GATES, DR.
ROMINGER.
BURNETT.
MURPHY.

Assembly Bill No. 1331 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 706—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake:

Also: Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections:

Also: Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869a, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary or the original grantor or trustor against the grantee or grantees of the person so designated "trustee" or "as trustee":

Also: Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class;

Also: Senate Bill No. 490—An act to amend sections 2845 and 2847 of the Political Code of the State of California, relating to toll bridges;

Also: Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof;

Also: Senate Bill No. 354—An act to add a new section to be numbered 15a to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, relating to teachers employed at the southern branch of the University of California;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1923, at two o'clock and thirty minutes p.m.

GATES, DR., Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1122—An act to amend section 2197 of the Political Code, relating to the National Guard of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

HUGHES, Chairman.
HURLEY.
SLATER.
BURNETT.

Assembly Bill No. 1122 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

HUGHES, Chairman.
BURNETT.
HURLEY.
SLATER.

Assembly Bill No. 1124 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—16.

GATES, E. J., Chairman.

Senate Bill No. 697 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Chief Clerk.

Senate Concurrent Resolution No. 21 ordered to enrollment.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Dennett moved to reconsider the vote whereby Senate Bill No. 417 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Dennett, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 417 was refused passage was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rush, Sample, Sharkey, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be number 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Assembly Bill No. 336 passed on file.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Assembly Bill No. 196 passed on file.

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy,

and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

Assembly Bill No. 799 passed on file.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Assembly Bill No. 798 passed on file.

Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Assembly Bill No. 797 passed on file.

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.

Assembly Bill No. 800 passed on file.

Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

Bill read third time.

SENATOR HANDY IN THE CHAIR.

At three o'clock p.m., Senator Handy, of the fourth district, was called to the chair.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

AYES—Senators Allen, Arbuttle, Beggs, Breed, Burnett, Canepa, Coughlin, Crowley, Eden, Gates, Dr., Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, and Slater—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Osborne asked for and was granted leave of absence beginning Friday, May 4, until Tuesday, May 8, 1923.

Assembly Bill No. 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations there-

in, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1295 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 334 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Assembly Bill No. 179 passed on file.

Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 597 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 790—An act to amend section 4250 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 790 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Demmett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Senate Bill No. 721 to Senator Murphy as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "creating a state highway from the county line of the" and strike out all of lines 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, and in lieu thereof insert the following: "authorizing and directing the California highway commission to lay out and acquire a right of way or rights of way for a highway or highways from the county line of the city and county of San Francisco, in, to and through San Mateo county, and to construct the same at a location or locations to be selected by said commission; declaring and establishing the same as a state highway or state highways; authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway or highways; authorizing the California highway commission to accept said contributed money or property and to place the same and any other unappropriated money which may come under the control of said California highway commission in the general fund of the California highway commission, which fund is hereby created."

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "highway" add the words "or highways".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the word "of" after the word "line" and insert in lieu thereof the word "separating".

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, strike out the words "to Redwood City in" and insert in lieu thereof the word "from".

AMENDMENT NUMBER FIVE.

On page 1, line 4, of the printed bill, strike out the words "east side of" and all of line 5 and the words "At such location" in line 6, and insert in lieu thereof the following: "in, to and through the county of San Mateo at such location or locations".

AMENDMENT NUMBER SIX.

On page 1, line 7, of the printed bill, strike out the comma following the word "select" and insert in lieu thereof a period.

AMENDMENT NUMBER SEVEN.

On page 1, line 7, of the printed bill, strike out the words "which said highway is" and insert in lieu thereof the following: "the said highway or highways thus laid out and constructed are".

AMENDMENT NUMBER EIGHT.

On page 1, line 8, of the printed bill, strike out the period following the word "highway" and insert the following: "or highways".

AMENDMENT NUMBER NINE.

On page 1, line 9, of the printed bill, strike out the comma following the word "highway" and insert in lieu thereof the words "or highways".

AMENDMENT NUMBER TEN.

On page 1, line 14, of the printed bill, strike out the comma following the word "way" and insert the following: "or highways".

AMENDMENT NUMBER ELEVEN.

On page 1, line 15, of the printed bill, strike out the word "are" and insert the word "is".

AMENDMENT NUMBER TWELVE.

On page 1 of the printed bill, strike out all of lines 16 and 17, and insert in lieu thereof the following: "to condemn under the provisions of the Code of Civil Procedure relating to such proceedings, as may be necessary or proper".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 2, of the printed bill, strike out the period after the word "highway" and insert the words "or highways".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 3, of the printed bill, strike out the comma following the word "highway" and insert in lieu thereof the words "or highways".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 5, of the printed bill, strike out the comma following the word "highway" and insert in lieu thereof the words "or highways".

AMENDMENT NUMBER SIXTEEN.

On page 2, line 10, of the printed bill, strike out the comma following the word "highway" and insert in lieu thereof the words "or highways".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 11, of the printed bill, after the word "highway" add the following: "or highways".

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 15, of the printed bill, strike out the comma following the word "highway" and insert in lieu thereof the words "or highways".

AMENDMENT NUMBER NINETEEN.

On page 2, line 19, of the printed bill, after the word "way" add the words "or highways".

AMENDMENT NUMBER TWENTY.

On page 2, line 31, of the printed bill, after the word "highway" add the words "or highways".

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 40, of the printed bill, strike out the comma after the word "highway" and insert in lieu thereof the words "or highways".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 721, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Senate Bill No. 409 to Senator Rominger, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill as amended April 19, strike out the word "first" and insert in lieu thereof the word "sixteenth".

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill as amended April 19, strike out the word "fifteenth" and insert in lieu thereof the words "thirty-first".

AMENDMENT NUMBER THREE.

On page 2, line 30, of the printed bill, as amended April 19, strike out the words "districts twelve or" and insert in lieu thereof the word "district".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended April 19, strike out that part of line 42 following the comma after the word "provided", and strike out all of lines 43, 44 and 45.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended April 19, strike out that part of line 46 which follows the word "used" and insert in lieu thereof the words: "in any fish and".

AMENDMENT NUMBER SIX.

On page 2, line 47, of the printed bill, as amended April 19, strike out the word "twelve".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended April 19, strike out that part of line 51 which follows the semicolon, and strike out all of line 52.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, as amended April 19, strike out all of lines 1, 2, 3 and 4.

AMENDMENT NUMBER NINE.

On page 3, line 7, of the printed bill, as amended April 19, after the word "nets" insert the following: "in fish and game district twelve".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 409, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and on motion of Senator Chamberlin, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 461—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste

and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act." approved June 10, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 461 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS.

Senator Hurley asked unanimous consent to take up Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M. D.," "D. C.," "D. O.," "N. D.," "Opt. D.," "D. S. C.," "Ph. C.," "Ph. D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith.

VETO OF GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Crowley, Denney, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—30.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 890 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class.

Assembly Bill No. 1175 passed on file.

Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 548 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 985 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Sharkey, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 51.

A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its forty-fifth regular session, commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that section 14 of article XIII of the constitution of this State be amended to read as follows:

Sec. 14. Taxes levied, assessed and collected as hereinafter provided upon railroads, and street railways, whether operated in one or more counties; sleeping car, dining car, drawingroom car and palace car companies, refrigerator, oil, stock, fruit, and other car-loading and other car companies operating upon railroads in this State; companies doing express business on any railroad, steamboat, vessel or

stage line in this State; telegraph companies; telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies; banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for State purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint stock associations, companies, and corporations.

(a) All railroad companies, and street railways, whether operated in one or more counties; all sleeping car, dining car, drawingroom car, and palace car companies, all refrigerator, oil, stock, fruit and other car-loading and other car companies, operating upon the railroads in this State; all companies doing express business on any railroad, steamboat, vessel or stage line in this State; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity shall annually pay to the State a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof used exclusively in the operation of their business in this State, computed as follows: Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies, and each thereof within this State. When such companies are operating partly within and partly without this State, the gross receipts within this State shall be deemed to be all receipts on business beginning and ending within this State, and a proportion, based upon the proportion of the mileage within this State to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this State.

The percentages above mentioned shall be as follows: On all railroad companies, seven per cent; on all street railways, herein defined to include interurban electric railways and gasoline propelled railways, five and one-quarter per cent; on all sleeping car, dining car, drawingroom car, palace car companies, refrigerator, oil, stock, fruit, and other car-loading and other car companies, five and one-quarter per cent; on all companies doing express business on any railroad, steamboat, vessel or stage line, one per cent; on all telegraph and telephone companies, five and one-half per cent; on all companies engaged in the transmission or sale of gas or electricity, seven and one-half per cent. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property above enumerated of such companies except as otherwise in this section provided; *provided*, that nothing herein shall be construed to release any such company from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any of the municipal authorities of this State.

(b) Every insurance company or association, except county fire insurance companies organized under and by virtue of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, and all acts amendatory thereof, doing business in this State shall annually pay to the State a tax of two and sixty hundredths per cent upon the amount of the gross premiums received upon its business done in this State, less return premiums and reinsurance in companies or associations authorized to do business in this State; *provided*, that there shall be deducted from said two and sixty hundredths per cent upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this State. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of such companies, except county and municipal taxes on real estate, and except as otherwise in this section provided; *provided*, that when by the laws of any other state or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this State, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other state or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurance companies of such other state or country doing business in this State.

(c) The shares of capital stock of all banks, organized under the laws of this State, or of the United States, or of any other state and located in this State, shall be assessed and taxed to the owners or holders thereof by the State Board of Equalization, in the manner to be prescribed by law, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the State, of one and forty-five hundredths per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon such shares of stock and upon the property of such banks, except county

and municipal taxes on real estate and except as otherwise in this section provided. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. The word "bank" is liable to the State for this tax and the same shall be paid to the State by them on behalf of the stockholders in the manner and at the time prescribed by law, and they shall have a lien upon the shares of stock and upon any dividends declared thereon to secure the amount so paid.

The income earned, reserve, surplus, undivided profits and all other property belonging to unincorporated banks or bankers of this State, or held by any bank located in this State which has no shares of capital stock, or employed in this State by any business, association, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said Board of Equalization, in the manner to be provided by law and taxed at the same rate that is levied upon the value of capital stock of incorporated banks, as provided in the first paragraph of this subdivision. The value of said property shall be determined by taking the entire property invested in such business, together with all the reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate, other than mortgage interests therein, owned by such bank, and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property of the banks and bankers, mentioned in this paragraph, except county and municipal taxes on real estate and except as otherwise in this section provided.

It is the intention of this paragraph that all money capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in the first paragraph of this subdivision. In determining the value of the money capital and property of the banks and bankers mentioned in this subdivision, the said State Board of Equalization shall include and assess to such banks all property and everything of value owned or held by them, which go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock.

The word "banks" as used in this subdivision shall include banking association, savings and loan societies and trust companies, but shall not include building and loan associations.

(d) All franchises, other than those expressly provided for in this section, shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of one and six-tenths per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the State.

(e) Out of the revenues from the taxes provided for in this section, together with all other State revenues, there shall be first set apart the moneys to be applied by the State to the support of the public school system and the State University. In the event that the above named revenues are at any time deemed insufficient to meet the annual expenditures of the State, including the above named expenditures for educational purposes, there may be levied, in the manner to be provided by law, a tax, for State purposes, on all the property in the State including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in subdivisions (a), (b), and (d) of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, before the adoption of this section. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for State purposes.

(f) All the provisions of this section shall be self-executing, and the Legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the Legislature. The State shall reimburse any and all counties which sustain loss of revenue by the withdrawal of property from county taxation for the net loss in county revenue occasioned by the withdrawal of such property from county taxation. The Legislature shall provide for reimbursement from the general

funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for State purposes only.

(a) No injunction shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such manner and at such time as may now or hereafter be provided by law.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During reading of the Assembly constitutional amendment, Senator Dennett moved to refer said Constitutional Amendment No. 51 to Senator Harris, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 22, of the amended bill, strike out the words "Until the year 1918 the", and insert in lieu thereof the word "The".

AMENDMENT NUMBER TWO.

On page 5, line 24, of the amended bill, strike out the word "railroad".

AMENDMENT NUMBER THREE.

On page 5, line 25, of the amended bill, strike out the word "railroad", and insert in lieu thereof the word "such".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Constitutional Amendment No. 51, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARRIS, Special Committee.

Report read, and on motion of Senator Dennett, adopted.

Assembly constitutional amendment ordered to print.

COMMUNICATION.

The following communication from Senator McDonald was received and read:

[From San Francisco Chronicle, May 3, 1923.]

HANDS OFF HARBOR FUNDS.

GOVERNOR RICHARDSON SAYS REVENUES WILL BE LEFT TO COMMISSION TO EXPEND.

Governor Richardson yesterday affirmed his intention to leave the revenues of San Francisco harbor in the hands of the Harbor Commission for the support and development of its port facilities.

That is the only right course. Moreover, it is the only legal course under the law as it stands. To divert one penny of the revenues created by the operation of San Francisco harbor to the general fund, or to curtail the expenditure of those revenues for the proper upkeep and development of the harbor would require a special act of the Legislature amending the law under which the Harbor Board now operates.

The Legislature has power to do this. But Governor Richardson's statement makes it plain that such an attempt would not have his support or approval.

The Governor is to be congratulated on his stand. Nothing more disastrous to San Francisco harbor, which is an interest of the entire State of California as much as of this city, could happen than to divert from the legitimate development of the port the funds created by the harbor itself.

The Governor says properly that the Harbor Commission's expenditures must be within its estimated revenue. That has always been the case. San Francisco harbor is completely self-supporting, the only self-sustaining port in America. While its tolls are lower than those of other ports, out of them the harbor pays all its expenses of upkeep and operation, carries on development for expanding needs and retires its own bonds. It has never called upon the general fund for a penny except in the single instance of the extraordinary emergency created by the fire of 1906, when it received an appropriation of \$100,000.

Under the law the harbor board can have no surplus, since it is required to fix tolls at only such a rate as will produce sufficient revenue for operation and repair, the retirement of bonds, and necessary development. Any diversion of its funds must necessarily, therefore, cripple or stop development.

Governor Richardson will not permit this. His declaration is unmistakable. His guarantee that he will not take the revenues of the harbor away from the commission means that the port is safe.

MOTION.

Senator Lewis moved that Senate Bill No. 502 be recalled from the Senate Committee on Public Health and Quarantine, and that it be forthwith taken up for consideration.

Motion to withdraw.

The question being on the motion to withdraw Senate Bill No. 502 from Committee on Public Health and Quarantine.

ROLL CALL DEMANDED.

A roll call was demanded by Senators Crowley, Lyon and McDonald.

The roll was called, and the motion to withdraw Senate Bill No. 502 from Committee on Public Health and Quarantine lost by the following vote:

AYES—Senators Creighton, Inman, Lewis, Lyon, Rominger, Rush, Sample, Sharkey, and Swing—9.

NOES—Senators Allen, Breed, Burnett, Canepa, Chamberlin, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., McDonald, Murphy, Nelson, and Slater—22.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act.

Assembly Bill No. 485 passed on file.

Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 407 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Crowley moved to reconsider the vote whereby Senate Bill No. 1334 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Crowley, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1334 was passed, was continued until the next legislative day.

Assembly Bill No. 73—An act to amend an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 73 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts.

Assembly Bill No. 685 passed on file.

Assembly Bill No. 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Rush, Sample, Sharkey, Slater, and Swing—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 3½.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 401 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Harley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborn, Rominger, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 116 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurle, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Powers, Rush, Sample, Sharkey, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 39 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 198—An act to amend section 3408*d* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason; providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 198 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

Assembly Bill No. 367 passed on file.

Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805c, providing for the cancellation of assessments on certain lands of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 199 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.

Assembly Bill No. 304 passed on file.

Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 603 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 607 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 775—An act to amend section 1664, relating to procedure in probate matters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 775 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B.,

Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rush, Sample, Slater, and Swing—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

Assembly Bill No. 1166 passed on file.

Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 52 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259a, relating to the fees and mileage of jurors in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1261 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rush, Sample, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1262—An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1262 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1310 passed by the following vote:

AYES—Senators Allen, Arlucke, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1335 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Osborne, Rush, Sample, Sharkey, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 21 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—34.

NOES—None.

Assembly Joint Resolution No. 21 ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 8 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes

Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—33.

NOES—None.

Assembly Concurrent Resolution No. 8 ordered transmitted to the Assembly.

Assembly Bill No. 1221—An act to amend section 3666a of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1221 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

Bill read third time.

On motion of Senator Canepa, Senate Bill No. 390 was passed on file.

RE-REFERENCE OF BILL.

On motion of Senator Chamberlin, Senate Bill No. 536 was taken from the file and re-referred to Committee on Education.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Swing:

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof.

Request referred to Committee on Rules.

By Senator Ingram:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1739 of the Political Code, relating to trustees of county high school districts.

Request referred to Committee on Rules.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Godsil:

WHITE EAGLE TRIBE No. 73, IMPROVED ORDER OF RED MEN,
SAN FRANCISCO, April 28, 1923.

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereon they may gain a livelihood, and a lack of proper educational facilities; be it therefore

Resolved, That this Tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land, and petition our Great White Fathers to consider the humble appeal of White Eagle Tribe No. 73 of San Francisco, State of California, for and on behalf of their great race now fast fading away, and to whom we, as citizens of this great republic, owe so much and have provided so little.

FLOYD EWING, Sachem.
JAS. J. FIELD, Chief of Records.
HENRY TRUEB, Grand Past Sachem.

RECESS.

At five o'clock and thirty minutes p.m., on motion of Senator Breed, Senator Handy declared the Senate at recess until the hour of five o'clock and forty minutes p.m.

RECONVENED.

At five o'clock and forty minutes p.m., the Senate reconvened.

Senator Handy in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

RESOLUTION.

The following resolution was offered:

By Senator Gates, E. J.:

Resolved, That Assembly Bill No. 999 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

Senator Gates, E. J., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—37.

NOES—None.

Whereupon the President declared the provision of section 15, article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 999.

Bill read third time.

CASE OF URGENCY.

Section 7, setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones,

Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—37.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 999 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATIONS OF VOTES.

The following explanations of votes were presented and ordered printed in the Journal:

This bill in my opinion not only fails to comply with what undoubtedly was the desire of the voters, but creates a condition of entirely unnecessary confusion. I do not believe that it complies with the plain and explicit provisions of the law, but it seems to be the nearest approach to such compliance as is possible at this time and there seems no other alternative.

DENNETT.
HARRIS.

Also:

While the undersigned members of the Senate do not approve Assembly Bill No. 999, known as the budget bill, in its present form largely because of the increased appropriations provided for therein by the amendments adopted in the Assembly against the recommendations of the Governor and the Board of Control, we have reluctantly voted in favor of the measure in an effort to expedite its passage in the Senate to the end that the same will reach the Governor and the various items therein be finally approved or rejected by him at the earliest possible moment.

The sixty day discussion which the budget has just passed has demonstrated to us that additional and protracted discussion and debate of the budget or any amendments thereto or the language thereof in the Senate would accomplish no good purpose or produce any satisfactory result at this time.

We have, therefore, voted in favor of Assembly Bill No. 999 in its present form, and without any attempt to amend or reduce the amount of the same, with a full and complete confidence that the Governor in the exercise of his power and authority under the provisions of Constitutional Amendment No. 12, known as the budget amendment, to approve or reject any items in the bill will so amend or reduce the budget as to meet with our hearty approval.

ARBUCKLE.
ROMINGER.
CHAMBERLIN.
JOHNSON, A. B.
LYON.
EDEN.
HART.
GATES, E. J.

COMMUNICATION.

The following communication was presented by Senator Gates, E. J., and ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF CONTROLLER,
SACRAMENTO, May 2, 1923.

Hon. Egbert J. Gates,
Chairman Senate Finance Committee,
Sacramento, California.

HONORABLE SIR: During the budget debate I have been quoted and misquoted as to the position of the Controller with respect to legislation now before you and for this reason I desire to make clear to your committee my position with respect to the budget appropriation bill now before your body.

I have been requested by many legislators with reference to the stand that I would take upon the budget bill now before your committee. It is in reply to these inquiries that the matter has been taken up with my bonding company. In order

that I may be correctly quoted, I beg to say that I have been advised by my bonding company to withhold payments upon my claims that may be presented for payment that have not been included in the appropriation bill now before you, or subsequent appropriation bills that may be enacted by the present Legislature and signed by the Governor.

I am advising you at this time of my decision to abide by the request of my bonding company in order that you may have definite information regarding my action with respect to the above mentioned items when presented to me for payment after the first of July, 1923.

I further desire to inform you that all collections for, and balances remaining, in the fund for self-supporting agencies, so called, that have been created by special statutes previous to this session of the Legislature will be ordered into the general fund of the State by me, and claims for the support of these agencies will be audited and paid against the sum appropriated in the appropriation bill now before you. When that is exhausted, no further claims will be allowed by me against the funds collected under authority of the statutes creating the several self-supporting departments, except upon orders of the Supreme Court of this State.

It is obvious that the above procedure is the only safe course for me to follow, when it is considered that the same rule will apply in both instances; that is, in so far as the appropriation bill is concerned and the self supporting agencies.

I am attaching herewith a copy of the request from my sureties, for your consideration.

Yours very truly,

(Signed)

RAY L. RILEY, State Controller.

MOTION.

Senator Breed moved that all Senators who desire to explain their votes on Assembly Bill No. 999 be granted permission to have such explanations printed in the Journal.

Motion carried.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 40—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, 4236n, 4236o, 4236p, inclusive, of the Political Code, and to add a new section to said code to be numbered 4236q, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees report that we have met a like committee of the Assembly, consisting of Assemblymen Morris, McDowell, and Stevenot, and we report that the Committee on Free Conference have agreed to recommend the following: The adoption of the bill as amended in the Senate April 23, and also with the attached amendments.

AMENDMENT NUMBER ONE.

On page 3, line 47, of the printed bill, strike out the words "eight hundred" and insert in lieu thereof "nine hundred twenty".

AMENDMENT NUMBER TWO.

On page 3, line 48, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER THREE.

On page 3, line 50, of the printed bill, strike out the words "eight hundred" and insert in lieu thereof "nine hundred twenty".

AMENDMENT NUMBER FOUR.

On page 4, line 2, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER FIVE.

On page 4, line 4, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER SIX.

On page 4, line 21, of the printed bill, strike out the words "one thousand nine hundred eighty" and insert in lieu thereof "two thousand one hundred".

AMENDMENT NUMBER SEVEN.

On page 4, line 22, of the printed bill, strike out the words "one thousand nine hundred eighty" and insert in lieu thereof "two thousand one hundred".

AMENDMENT NUMBER EIGHT.

On page 4, line 25, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

AMENDMENT NUMBER NINE.

On page 4, line 27, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

AMENDMENT NUMBER TEN.

On page 4, line 28, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

DENNETT,
BOGGS,
JONES.

Senate Committee on Free Conference.

On motion of Senator Breed, Assembly Bill No. 40 was ordered on unfinished business file.

ADJOURNMENT.

At six o'clock and ten minutes p.m., on motion of Senator Breed, Senator Handy, acting president, declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, May 4, 1923.

The Senate met at 11 o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 3, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Hughes was, on motion of Senator Powers, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Senorita Adelia Palacios of Mexico City, personal representative of President

Obregon, and Mrs. W. P. Cunningham, president of the Women's City Club, of Los Angeles.

On request of Senator Eden, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Joseph M. Argabrite of Ventura.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John Glasson of Grass Valley.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John H. Graves of Willows.

On request of Senator Gates, W. F., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Ray Manwell, District Attorney of Yuba County, of Marysville, and Leo. J. Sullivan of Yuba City.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to J. B. Lapierre, Frank J. Thornton, well-known ball-player, G. Sullivan, George W. Sweeny, and C. C. McNeill of San Francisco.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Professor John G. Hiff and Miss Langmaid and the following students of Stockton High School:

Willard Giottonini, Grace Atherton, Sue Cotes, Eastman Ernestine, Kitchcock Josephine, Edith Hatch, Dorothy Cross, Bernice Knutzen, Isabel Anderson, Anna Bernadon, Clara Marinoto, Ida M. Wasgatt, Eva Thiry, Katharine Lubenko, Ina McDonald, Frances Brown, Virginia Wright, Roger Webster, Edward Cottle, Erwin Morison, Earl Lenfestey, Arthur E. Devol, Milo L. Hewitt, Reginald P. Richards, William W. Whitmore, Charles E. Holman, Monroe Eaton, G. Vernon Harris, Geo. K. Diffendufel, Evelyn Hopkins, Katherine Mitchell, Leona Bridge, Tom Roberts, Morton B. Levy, John Hodgkins, S. Elizabeth Myatt, Reva Horwitz, Bertie Robison, Marjorie Pease, Thelma West, John Stout, Dorothie Robbins, Florence Sayles, Norine Weinstein, Evelyn Sangiunetti, Norma Tschierschky, Ruth Parker, Dorothe Foster, Ethelyn Kitchings, Eleanor Binkley, Elizabeth Foster, Ruth Williams, Georgie Lamb, Taubner Hamma, Nicholas U. Mayall, Mary Oren, Clara Hammond, Amy Grunsky, Marjorie Smallfield, Sarah Gardner, Helene Stearns, Ruth Smitland, Helen Tanaka, Kimi Hanaoka, Wallace Meyers, Walter Meyers, Orrin Haynes, Lawrence Meier, Palmer Goldsberry, Herbert Jos. Gunther, Drais Cecil, Beth Doane, Eddie Libhart, Irene Orsi, Marie Young, Helen Sattleslee, Margaret Gealey, Clara Morris, Mildred Grenaux, Leah Evans, Madeline Folsom, Anna Osborn, Edie Hiff, Dorothy Yong, Frances Cochella, Lili Chan, Anna Erle, Bertha Erle, Lena Gotelli, Ida Wisnower, Alice Crane, Marguerethe Dietrich, Helen Waite, Eloise T. Langenade, Clara Lerona, Ruth Bagley, Margaret Macnider, Helen Castile Gilbert, Earl R. Stiles, Rae Lewis, Agnes McGee, Marie Hands, Dorothy Losekann, Bernice Brown, William Woodland, William Kay, Mike Wallin, Margaret Manuel, Marce Musto, Muriel Robertson, Jane Williard, Frankie Kelly, Marjorie Wodden, Catherine Selan, Margaret Griffin, Elsie Dunn, Robert R. Harry, Henry Coffin, Cyril Olexon, Philip Cavaheta, Marion Baird, Marjorie Taylor, Helen Parker, Carolyn M. Kerriek, Bernice M. Sawtell, Graw Waltz, and Marian Mitchell.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the seventh and eighth grades of Elk Grove Union Grammar School:

Teacher Mrs. Knox. Pupils—George Alltucker, Hitoshi Ouchida, Ellwood Keema, Vivian Fanson, Margaret Allen, Oreen Kerby, Mandie Bond, Perry Elmore, Leo Hulett, Alvin Bartholomew, Sam Paul, Edward Dewald, Edward Warren, Tracy Leimbach, Chester Mitchell, Maggie Flemmer, Eva Adam, Lloyd Glancy, Gottlieb Schauer, Thelma Sayles, Zeta Hall, Marian Hewitt, Wilfred Schirmer, Hazel Poston, Pearl Golden, Agnes Neves, Marie Bock, Dorothy Rhoades, and Gertie Idzinga.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to James G.

Givens, Chief Employment Service—12th District, United States Veterans' Bureau.

RECESS.

At eleven o'clock and ten minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of eleven o'clock and twenty minutes a.m. for the purpose of hearing Senorita Adelia Palacios of Mexico City, personal representative of President Obregon, and Mrs. W. P. Cunningham, president Women's City Club of Los Angeles.

RECONVENED.

At eleven o'clock and twenty minutes a.m., the Senate reconvened. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 4, 1923.

To the Senate of the State of California.

GENTLEMEN: Senate Bill No. 240 is returned herewith without my approval.

In 1919 chapter 526 of the statutes, Orange County was granted certain tide lands. This bill really amends the 1919 act although making no reference to it. This bill amends the 1919 act by authorizing the county authorities to exchange portions of the granted lands for other lands of equal value. This feature of the bill is unconstitutional. Section 3 of article XIV of the constitution provides that "all tide lands within two miles of any incorporated city or town in this State, and fronting on the waters of any harbor, estuary, bay or inlet, used for the purpose of navigation, shall be withheld from grant or sale to private persons, firms, partnerships or corporations."

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 4, 1923.

To the Senate of the State of California.

GENTLEMEN: I herewith return without my approval Senate Bill No. 242.

This bill amends chapter 494, Statutes of 1919, which granted to the city of Newport Beach certain tide lands. It is open to the same constitutional objections as Senate Bill No. 240.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart,

Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 704 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654d, relating to cooperative business corporations or associations;

Also: Assembly Bill No. 56—An act to amend section 3756 of the Political Code, relating to the time at which taxes become delinquent.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 432 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 56 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 360—An act to amend section 4387 of the Political Code, relating to claims against cities;

Also: Assembly Bill No. 653—An act to add a new section to be numbered section 15b to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers;

Also: Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class;

Also: Assembly Bill No. 963—An act to amend sections 851 and 854 of the Code of Civil Procedure, relating to pleadings in justices' courts.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 360 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 653 read first time, and referred to Committee on Education.

Assembly Bill No. 490 read first time, and referred to Committee on County Government.

Assembly Bill No. 963 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868";

Also: Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1341 read first time, and referred to Committee of Municipal Corporations.

Assembly Bill No. 1227 read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1163—An act to amend section 12 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof" approved April 16, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; noes—1; absent—1.

CROWLEY, Chairman.

Assembly Bill No. 1163 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 12, relative to adjournment sine die—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the resolution be adopted as amended.

BREED, Chairman.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed resolution, after the word "at" strike out the remainder of the line and insert in lieu thereof the following: "five o'clock p.m. Friday, May 18, 1923."

Amendment adopted.

Senator Breed asked unanimous consent to take up Assembly Resolution No. 12 at this time.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES.—Senators Allen, Bozars, Reed, Barnett, Canessa, Crichton, Crowley, Donnell, Eden, Gates, Dr. Geo. H. Hall, Harris, Hart, Harvey, Ingram, Johnson, M. B. Jones, Lewis, Loe, Murphy, Nelson, Powers, Rominger, Rush, Sample, Stanford, Simon, and Spring—10.
 NOES.—None.

Assembly Concurrent Resolution No. 12 ordered transmitted to the Assembly.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission, contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided in section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Finance Committee.

Committee membership—11; committee vote: Ayes—11.

OSBORNE, Chairman.

Senate Bill No. 475 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission, contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided in section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Finance Committee.

Committee membership—11; committee vote: Ayes—11.

OSBORNE, Chairman.

Senate Bill No. 476 re-referred to Committee on Finance.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1888—An act to add a new section to the Political Code, to be numbered 1764e, relating to powers and duties of high school boards;

Also: Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1807a, relating to the publication of annual reports and courses of study by city boards of education;

Also: Assembly Bill No. 366—An act to repeal chapter CCX, Statutes of 1893, chapter XCIX, Statutes of 1897, chapter CCXXI, Statutes of 1909, chapter CDLXXVII, Statutes of 1921, and sections 1745, 1746, 1746a, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885a, 1886, 1887, 1888, 1888a, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883a, 1883b, 1883c, 1883d, 1883e, 1883f, 1883g, 1884, 1885, 1885a, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds;

Also: Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code relating to the selling or leasing of school property unoccupied by any public school; to add a new section to the Political Code to be numbered 1617½ relating to the selling or leasing of any real property upon which no public school is being maintained;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

HARRIS, Chairman.

Assembly Bills Nos. 388, 723, 366 and 434 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts;

Also: Assembly Bill No. 472—An act to amend section 1588 of the Political Code relating to the appointment and election of union and joint union elementary school trustees;

Also: Assembly Bill No. 473—An act to amend sections 1589, 1589a, 1590, 1591, 1591a of the Political Code, and to repeal section 1589b of the Political Code, relating to union elementary school districts;

Also: Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—9; absent—6.

HARRIS, Chairman.

Assembly Bills Nos. 471, 472, 473, and 354 ordered on file for second reading.

Assembly Concurrent Resolution No. 21 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 457—An act to amend section 460 of the Penal Code relating to the degrees of burglary;

Also: Senate Bill No. 720—An act permitting the use of State property by the organizations of disabled service men, Grand Army of the Republic and Spanish War Veterans for advertising purposes;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduc-

tion purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921;

Also: Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places;

Also: Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

MURPHY, Chairman.

INMAN.

CROWLEY.

OSBORNE.

LEWIS.

CREIGHTON.

CANEPA.

GATES, DR.

Senate Bill No. 143 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 118 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 493 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 733 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 692 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 657—An act authorizing the creation of a Bureau of Capriculture in the Department of Agriculture; to promote the development of the California goat industry; to establish standards of sanitation in the conduct of the milk goat industry, and of the chemical and physical properties of goat milk and other goat dairy products used for public consumption, and to provide for the issuance of permits authorizing the conduct of dairies furnishing (selling) goat milk—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 657 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 585—An act appropriating money to be used toward the purchase of land for agricultural laboratory purposes near the grounds of the University of California at Berkeley—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 585 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 584—An act making an appropriation for the support, maintenance and equipment of the University of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 584 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years;

Also: Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles;

Also: Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego;

Also: Senate Bill No. 406—An act appropriating five hundred dollars for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bills Nos. 127, 337, 338, 367 and 406 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 702 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 492 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 470—An act providing for the enlargement of Mount Diablo Park, making an appropriation for the purchase of additional lands and roadways therefor, and for the development thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 470 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Seammell" and "Dennis Sullivan", including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bill No. 167 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

SLATER, Chairman.

Assembly Bill No. 289 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 24—Relative to approving amendments to the charter of the City of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day

of April, 1923 has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

CARR, Chairman.
CHAMBERLIN.
ALLEN.
HURLEY.
LEWIS.
LYON.
GRAY.
GODSIL.

Senate Concurrent Resolution No. 24 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad avenue, Humboldt avenue, B, C, D and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

CARR, Chairman.

Assembly Bill No. 744 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to create a fund to be known as the 'United States Forest Reserve Fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

HURLEY, Chairman.
WEST.
RUSH.
HUGHES.
McDONALD.
LEWIS.

Assembly Bill No. 1080 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Swing to introduce a bill entitled—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof—has had the same under consideration, and respectfully reports the same back and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced.

By Senator Swing: Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the

postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof.

Senate Bill No. 740 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ingram to introduce a bill entitled—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Ingram: Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts.

Senate Bill No. 741 read first time, and referred to Committee on Education.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Hughes:

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21^a, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add four new sections to be numbered 14a, 14b, 21a, 22a and 29a.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the re-engrossed bill, in line 1 of the title preceding the word "three" insert the words "two and one-half,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the re-engrossed bill, in line 2 of the title preceding the word "twenty-five" insert the word "twenty-two,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 10, line 12, of the re-engrossed bill, strike out the figure "22" and insert in lieu thereof the figure "27".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 296—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title 15 of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title after the word "amend" insert the following: "Section fifty-two of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period add the following: "Section fifty-two of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title fifteen of part four of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, is hereby amended to read as follows:

SEC. 52. (a) The power of public utilities to issue stocks and stock certificates or other evidence of interest or ownership, and bonds, notes and other evidences of indebtedness and to create liens on their property situated within this state is a special privilege, the right of supervision, regulation, restriction and control of which is and shall continue to be vested in the state, and such power shall be

exercised as provided by law and under such rules and regulations as the commission may prescribe.

(b) A public utility may issue stocks and stock certificates or other evidence of interest or ownership, and bonds, notes and other evidences of indebtedness payable at periods of more than twelve months after the date thereof, for the following purposes and no others, namely, for the acquisition of property, or for the construction, completion, extension or improvement of its facilities, or for the improvement or maintenance of its service, or for the discharge or lawful refunding of its obligations, or for the reimbursement of moneys actually expended from income or from any other moneys in the treasury of the public utility not secured by or obtained from the issue of stock or stock certificates or other evidence of interest or ownership, or bonds, notes or other evidences of indebtedness of such public utility, for any of the aforesaid purposes except maintenance or service and replacements, in cases where the applicant shall have kept its accounts and vouchers for such expenditures in such manner as to enable the commission to ascertain the amount of moneys so expended and the purposes for which such expenditure was made; *provided*, that such public utility, in addition to the other requirements of law, shall first have secured from the commission an order authorizing such issue and stating the amount thereof and the purpose or purposes to which the issue or the proceeds thereof are to be applied, and that, in the opinion of the commission, the money, property or labor to be procured or paid for by such issue is reasonably required for the purpose or purposes specified in the order, and that, except as otherwise permitted in the order in the case of bonds, notes or other evidences of indebtedness, such purpose or purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income. To enable it to determine whether it will issue such order, the commission may hold a hearing and may make such additional inquiry or investigation, and examine such witnesses, books, papers, documents and contracts and require the filing of such data as it may deem of assistance. The commission may by its order grant permission for the issue of such stock or stock certificates or other evidence of interest or ownership, or bonds, notes or other evidences of indebtedness in the amount applied for, or in a lesser amount, or not at all, and may attach to the exercise of its permission such condition or conditions as it may deem reasonable and necessary. The commission may authorize issues of bonds, notes or other evidences of indebtedness, less than, equivalent to or greater than the authorized or subscribed capital stock of a public utility corporation, and the provisions of sections three hundred nine and four hundred fifty-six of the Civil Code of this state, in so far as they contain inhibitions against the creation by corporations of indebtedness, evidenced by bonds, notes or otherwise, in excess of their total authorized or subscribed capital stock shall have no application to public utility corporations. No public utility shall, without the consent of the commission, apply the issue of any stock or stock certificate or other evidence of interest or ownership, or bond, note or other evidence of indebtedness, or any part thereof, or any proceeds thereof, to any purpose not specified in the commission's order, or to any purpose specified in the commission's order in excess of the amount authorized for such purpose, or issue or dispose of the same in any terms less favorable than those specified in such order, or a modification thereof. A public utility may issue notes, for proper purposes and not in violation of any provision of this act or any other act, payable at periods of not more than twelve months after the date of issuance of the same, without the consent of the commission, but no such note shall, in whole or in part, be refunded by any issue of stocks or stock certificates or other evidence of interest or ownership, or of bonds, notes of any term or character or any other evidence of indebtedness, without the consent of the commission. The commission shall have no power to authorize the capitalization of the right to be a corporation, or to authorize the capitalization of any franchise or permit whatsoever or the right to own, operate or enjoy any such franchise or permit, in excess of the amount (exclusive of any tax or annual charge) actually paid to the state or to a political subdivision thereof as the consideration for the grant of such franchise, permit or right; nor shall any contract for consolidation or lease be capitalized, nor shall any public utility hereafter issue any bonds, notes or other evidences of indebtedness against or as a lien upon any contract for consolidation or merger.

(c) The commission shall have the power to require public utilities to account for the disposition of the proceeds of all sales of stocks and stock certificates or other evidence of interest or ownership, and bonds, notes and other evidences of indebtedness, in such form and detail as it may deem advisable, and to establish such rules and regulations as it may deem reasonable and necessary to insure the disposition of such proceeds for the purpose or purposes specified in its order.

(d) All stock and every stock certificate or other evidence of interest or ownership, and every bond, note or other evidence of indebtedness, of a public utility, issued without an order of the commission authorizing the same then in effect shall be void, and likewise all stock and every stock certificate or other evidence of interest or ownership, and every bond, note or other evidence of indebtedness, of a public utility, issued with the authorization of the commission, but not conforming in its provisions to the provisions, if any, which it is required by the order of authorization of the commission to contain, shall be void; but no failure in any other respect to comply with the terms or conditions of the order of authorization of the commission shall render void any stock or stock certificate or other evidence of interest

or ownership, or any bond, note or other evidence of indebtedness, except as to a corporation or person taking the same otherwise than in good faith and for value and without actual notice.

(e) Every public utility which, directly or indirectly, issues or causes to be issued, any stock or stock certificate or other evidence of interest or ownership, or bond, note or other evidence of indebtedness, in nonconformity with the order of the commission authorizing the same, or contrary to the provisions of this act, or of the constitution of this state, or which applies the proceeds from the sale thereof, or any part thereof, to any purpose other than the purpose or purposes specified in the commission's order, as herein provided, or to any purpose specified in the commission's order in excess of the amount in said order authorized for such purpose, is subject to a penalty of not less than five hundred dollars nor more than twenty thousand dollars for each offense.

(f) Every officer, agent or employee of a public utility, and every other person who knowingly authorizes, directs, aids in, issues or executes, or causes to be issued or executed, any stock or stock certificate, or other evidence of interest or ownership, or bond, note or other evidence of indebtedness, in nonconformity with the order of the commission authorizing the same, or contrary to the provisions of this act or of the constitution of this state, or who, in any proceeding before the commission, knowingly makes any false statement or representation or with knowledge of its falsity files or causes to be filed with the commission any false statement or representation which said statement or representation so made, filed or caused to be filed may tend in any way to influence the commission to make an order authorizing the issue of any stock or stock certificate or other evidence of interest or ownership, or any bond, note or other evidence of indebtedness, or which results in procuring from the commission the making of any such order, or who, with knowledge that any false statement or representation was made to the commission, in any proceeding, tending in any way to influence the commission to make such order, issues or executes or negotiates, or causes to be issued, executed or negotiated any such stock or stock certificate or other evidence of interest or ownership, or bond, note or other evidence of indebtedness, or who, directly or indirectly, knowingly applies, or causes or assists to be applied the proceeds or any part thereof, from the sale of any stock or stock certificate or other evidence of interest or ownership, or bond, note or other evidence of indebtedness, to any purpose not specified in the commission's order, or to any purpose specified in the commission's order in excess of the amount authorized for such purpose, or who, with knowledge that any stock or stock certificate or other evidence of interest or ownership, or bond, note or other evidence of indebtedness, has been issued or executed in violation of any of the provisions of this act, negotiates, or causes the same to be negotiated, shall be guilty of a felony.

(g) No provision of this act, and no deed or act done or performed under or in connection therewith, shall be held or construed to obligate the State of California to pay or guarantee, in any manner whatsoever, any stock or stock certificate or other evidence of interest or ownership, or bond, note or other evidence of indebtedness, authorized, issued or executed under the provisions of this act.

(h) All stocks and stock certificates or other evidence of interest or ownership, and bonds, notes and other evidences of indebtedness issued by any public utility after this act takes effect, upon the authority of any articles of incorporation or amendments thereto or vote of the stockholders or directors filed, taken or had, or other proceedings taken or had, previous to the taking effect of this act, shall be void, unless an order of the commission authorizing the issue of such stocks or stock certificates or other evidence of interest or ownership, or bonds, notes or other evidences of indebtedness shall have been obtained from the commission prior to such issue. The commission may by its order impose such condition or conditions as it may deem reasonable and necessary.

(i) For the purposes of this section a public utility shall be deemed to include all public utilities as the same are defined in section two of this act and also all corporations hereafter organized under the laws of California which are authorized by their articles of incorporation to engage in any activity or business defined or described in said section two."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 738—An act to amend section 19.5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the Cali-

ifornia School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 697—An act authorizing the board of control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the division of printing of the Department of Finance.

Bill read second time, and ordered on file for third reading.

UNFINISHED BUSINESS.

Senator Inman asked unanimous consent to take up Senate Bill No. 468.

Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

VETO OF GOVERNOR SUSTAINED.

The question being, "Shall Senate Bill No. 468 become a law notwithstanding the veto of the Governor?"

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—Senators Carr, Dennett, Harris, Inman, Johnson, M. B., Jones, Lewis, Murphy, and Sharkey—9.

NOES—Senators Allen, Arbuckle, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lyon, McDonald, Powers, Rominger, Rush, Sample, Slater, Swing, and West—27.

UNFINISHED BUSINESS.

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Bill read third time.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Murphy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sample, Slater, Swing, and West—32.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER THE CALL OF THE SENATE.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Crowley moved to reconsider the vote whereby Assembly Bill No. 1334 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Crowley, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1334 was passed was continued until the next legislative day.

RE-REFERENCE OF BILL.

On motion of Senator Inman, Assembly Bill No. 783 was taken from Committee on Judiciary, and re-referred to Committee on Military Affairs.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Dennett moved to reconsider the vote whereby Senate Bill No. 417 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Dennett, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 417 was refused passage was continued until the next legislative day.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Murphy.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 85 passed by the following vote:

AYES—Senators Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Godsil, Gray, Harris, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Powers, Rush, Sharkey, Slater, and Swing—23.

NOES—Senators Allen, Arbuckle, Chamberlin, Dennett, Eden, Gates, Dr., Handy, Hart, Hughes, Johnson, A. B., Nelson, Rominger, Sample, and West—14.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 85 was passed.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Murphy, the further consideration of the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 478 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 478 was passed was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township officers with the county auditor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 466 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsill, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 513—An act providing for the inspection of all places where food is served.

Bill read third time.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and forty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 513 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Creighton moved to reconsider the vote whereby Assembly Bill No. 331 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 331 was refused passage was carried by the following vote:

AYES—Senators Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Harris, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Rush, Sample, Sharkey, Slater, and Swing—25.

NOES—Senators Allen, Breed, Chamberlin, Gates, Dr., Gray, Hart, Johnson, A. B., Lyon, Powers, and West—10.

Assembly Bill No. 331 ordered on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hughes to introduce a bill entitled—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Hughes: Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a Corporation, against the State of California.

Senate Bill No. 742 read first time, and referred to Committee on Finance.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be stricken from the list of Senate Attaches, and their names be stricken from the pay roll of the Senate:

Henry Frazier, Page-----	\$2 50 per day
Lamar Treaster, Page-----	2 50 per day

Resolution read, and on motion of Senator Breed, adopted.

LEAVE OF ABSENCE.

Senator Swing asked for and was, at three o'clock p.m., granted leave of absence for remainder of legislative day.

RECESS.

At one o'clock p.m., on motion of Senator Crowley the President pro tempore declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Assistant Secretary, G. Melvin Warren, at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 613—An act declaring property used in conducting lotteries, or for any purpose connected therewith, a nuisance, and providing for the abatement thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CREIGHTON, Chairman.
INGRAM.
DENNETT.
ARBuckle.
SWING.
GRAY.

Senate Bill No. 613 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633e, concerning the appointment by insurance companies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

BURNETT, Chairman.

Assembly Bill No. 1270 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1116—An act to amend section 633d, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing

the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

BURNETT, Chairman.

Assembly Bill No. 1116 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

BURNETT, Chairman.

Assembly Bill No. 260 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

SLATER, Chairman.

Senate Bill No. 734 ordered on file for second reading.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—15; committee vote: Ayes—11; absent—4.

INGRAM, Chairman.

Senate Bill No. 48 ordered on file for second reading.

ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Manufactures, to which was referred Senate Bill No. 447—An act creating the Peninsula Development District, comprising the city and county of San Francisco and a portion of San Mateo County, conferring certain powers thereon and providing for the exercise thereof—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

(Signed out)

GODSIL, Chairman.
ROMINGER.
MURPHY.
GATES, DR.

Senate Bill No. 447 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 3 passed as amended, Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry: to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED TWENTY-FIVE.

Senator Gray asked for and was granted unanimous consent to take up Senate Bill No. 125.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry: to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED TWENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, lines 21 and 22, of the printed bill, strike out the words "and only from the state optometry fund."

AMENDMENT NUMBER TWO.

On page 5, line 49, of the printed bill, strike out the words "optometry fund" and insert the word "treasury" in lieu thereof.

AMENDMENT NUMBER THREE.

On page 6, lines 15 and 16, of the printed bill, strike out the words "for the benefit of the state optometry fund."

AMENDMENT NUMBER FOUR.

On page 8, line 17, of the printed bill, strike out the period therein and all of line 17 thereafter and all of lines 18 and 19 and the following words in line 20: "of the state board of optometry."

AMENDMENT NUMBER FIVE.

On page 6, line 31, of the printed bill, strike out the period and add the following: "nor to the fitting by any one of presbyopic eyes of persons over forty years of age."

AMENDMENT NUMBER SIX.

On page 6, line 31, strike out words "nor to the fitting by any one of presbyopic eyes of persons over forty years of age," and insert in lieu the following: "nor to prohibit the sale of complete ready to wear eyeglasses as merchandise, by any person not holding himself out as competent to examine, test or prescribe for the human eye, or its refractive errors."

AMENDMENT NUMBER SEVEN.

On page 8, section 11, after line 9, insert the following:

"7. When the holder uses the title "Doctor" or "Dr." as a prefix to his name: or, without holding a diploma from an accredited school of optometry, the letters "Opt.D." or "O.D." as a suffix to his name: or holds himself out as having a special knowledge of optometry as defined in this act."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 125?"

The roll was called, and Assembly amendments to Senate Bill No. 125 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Powers, Rominger, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Senate Bill No. 125 ordered to enrollment.

REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce a bill was presented:

By Senator Breed:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Request referred to Committee on Rules.

Also:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Request referred to Committee on Rules.

COMMUNICATION.

The following communication was received by Senator Rominger and ordered printed in the Journal:

The following article appeared in the columns of the American Federation of Labor, April 28, 1923:

CARELESS LAW MAKING ENDANGERS DEMOCRACY.

Seattle, April 28.—Our structure of government is endangered when any branch of it is brought into such disrepute with the people generally as is the case with our present state legislature, says W. M. Short, president of the Washington state federation of labor, writing in the official bulletin of that organization.

"The dissatisfaction with the legislature is not confined to any particular group, but each session sees an increasing number of people from every walk of life leaving the capitol disgusted with the Legislature."

President Short advances several theories for this condition, and declares that it is "neither practicable nor possible to take ninety-seven people for the lower house

and forty-two for the Senate, chosen from every walk of life, and assemble them together once every two years for a period of sixty days, and expect them to give the necessary thought and time, and apply the legislative skill necessary to the proper enactment of our laws, and dispose of from three hundred to five hundred bills in that short period with no opportunity for previous thought and consideration. Yet this is the condition that obtains."

The trade unionist recommends that the legislative system be replaced by one legislative body, and that the State be redistricted, with a mandatory redistricting after every census. The new legislative body should remain in session at least nine months of the year and a salary of not less than \$3,000 should be paid members.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS—
(OUT OF ORDER).

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to relate to institutions of industry.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913.

Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out all of line 7 after the word "month", all of line 8 and the word "county" in line 9.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out line 11, and all of line 12 preceding the word "in".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 17, of the printed bill, strike out the period and in lieu thereof insert the following: "provided, however, that each of said justices shall be furnished with an office and necessary supplies by the board of supervisors of said county."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 8, strike out the word "unnecessary" and in lieu thereof add the word "unnecessary".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 564—An act to amend section 39 of the California irrigation district act, approved March 31, 1897, as amended, relating to the levying of assessments.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after the word "exceeding", strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 568—An act to amend the California irrigation district act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32*a*, relating to the issuing of funding or refunding bonds of such districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 24, of the amended printed bill, after the comma after the word "district" insert the following: "subject to the approval of the California Bond Certification Commission,".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32*b*, relating to the creation of an irrigation district bond security fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 317—An act authorizing counties, cities and cities and counties to provide public entertainments and to charge admission therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149*e* and 4149*f*, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 796—An act to amend section 4300*a* of the Political Code, relating to the fees of the county clerk.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, after the word "by", strike out the word "court" and insert in lieu thereof the word "courts".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 26, of the printed bill, after the word "of", strike out the word "appeals" and insert in lieu thereof the word "appeal".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "all".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, strike out the word "and" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, strike out the word "other".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-fifth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4, line 41, strike out the figures "1910" and in lieu thereof add the figures "1920".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized

by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "account", insert a comma and the following: "except maintenance and emergency work".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, after the word "labor" insert the following: "or as maintenance or emergency work".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "cost" insert a comma and the following: "except maintenance and emergency work".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, after the word "labor" insert the following: "or as maintenance or emergency work".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title strike out the concluding period and add a comma followed by the words "as amended".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the figures "1917" add the following: "as amended".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out all of line 23 after the word "point".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, strike out the word "miles", also the comma following the word "miles".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same" which became a law, under constitutional provision, without Governor's approval, March 1, 1897.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1199—An act to amend sections 1, 4, 7 and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards, approved March 19, 1889."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose", which became a law, under constitutional provision, without Governor's approval, March 1, 1897.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Breed to introduce a bill entitled An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners

of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Nelson, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Breed: Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts of motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Senate Bill No. 743 read first time, and referred to Committee on Motor Vehicles.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Breed to introduce a bill entitled—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle

fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Breed: Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Senate Bill No. 744 read first time, and referred to Committee on Revenue and Taxation.

LEAVE OF ABSENCE.

Senator Johnson, M. B., was granted leave of absence at two o'clock and thirty minutes for remainder of the legislative day.

UNFINISHED BUSINESS.

Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1137 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Ingram, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Powers, Sample, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (OUT OF ORDER).

SENATOR JONES IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Senator Jones of the twenty-eighth district was called to the chair.

Senate Bill No. 560—An act to amend section 791 of the Political Code, relating to notaries public.

On motion of Senator McDonald, Senate Bill No. 560 was passed on file.

RECESS.

At two o'clock and forty minutes p.m., on motion of Senator Breed, Senator Jones declared the Senate at recess until the hour of two o'clock and forty-five minutes p.m., for the purpose of hearing James G. Givens, Chief, Employment Service, Twelfth District, United States Veterans Bureau.

RECONVENED.

At two o'clock and forty-five minutes p.m. the Senate reconvened. Senator Jones in the chair.

Assistant Secretary G. Melvin Warren at the desk.

Senate Bill No. 75—An act to amend section 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 75 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Reminger, Sample, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

In the absence of the author, Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

In the absence of the author, Senate Bill No. 446 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses, providing a method for the issuance thereof, providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

On motion of Senator Canepa, Senate Bill No. 390 was passed on file.

Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California, and providing a penalty for the violation thereof.

On motion of Senator Hurley, Senate Bill No. 249 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 457—An act to amend section 464 of the Penal Code relating to burglary and the punishment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 passed by the following vote:

AYES—Senators Allen, At buckle, Breed, Burnett, Canepa, Creighton, Eden, Godsil, Hamby, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, and West—25
NOTES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 720—An act permitting the use of state property by the organization known as "Disabled American Veterans" for advertising purposes.

On motion of Senator Hurley, Senate Bill No. 720 was passed on file.

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste, to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

On motion of Senator Godsil, Senate Bill No. 696 was passed on file.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

On motion of Senator Sample, Senate Bill No. 507 was passed on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Assembly Bill No. 336 passed on file.

Assembly Bill No. 838—An act to amend section 2319*i* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 799 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Handy, Hughes, Ingram, Inman, Johnson, A. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 798 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 196 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 797 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 800 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Assembly Bill No. 179 passed on file.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation.

Assembly Constitutional Amendment No. 51 passed on file.

Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act.

Assembly Bill No. 485 passed on file.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts.

Assembly Bill No. 685 passed on file.

Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 367 passed by the following vote:

AYES—Senators Allen, Arbuttle, Boggs, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Nelson, Powers, Rominger, Sharkey, Slater, and West—25.

NOTES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Powers, Assembly Bill No. 1175 was taken from the file and re-referred to Committee on County Government.

LEAVE OF ABSENCE.

Senator Ingram was granted leave of absence at three o'clock and twenty minutes p.m. for remainder of the legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 304 passed by the following vote:

AYES—Senators Arbuttle, Boggs, Broad, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hughes, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Nelson, Rominger, Sample, Sharkey, Slater, and West—24.

NOTES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

Assembly Bill No. 1166 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Assembly Bill No. 74 passed on file.

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California.

Assembly Bill No. 1121 passed on file.

Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.

Assembly Bill No. 409 passed on file.

Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the child labor law, and regulating the employment, hours, kinds and conditions of labor of children: providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

Assembly Bill No. 810 passed on file.

LEAVE OF ABSENCE.

Senator Rominger asked for and was granted leave of absence for Monday, May 7.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourth day of May, 1923, at one o'clock p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 24—Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

RECESS.

At three o'clock and fifteen minutes p.m., on motion of Senator Breed, Senator Jones declared the Senate at recess until the hour of five o'clock p.m.

RECONVENED.

At five o'clock p.m., the Senate reconvened.

Senator Breed, President pro tempore of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 627—An act to provide for the survey and construction of a State highway from Governor's Camp, in the California redwood park, to the coast road at the point where said coast road crosses the divide between Waddell Creek and Scott Creek, and making an appropriation therefor;

Also: Senate Bill No. 100—An act appropriating money to pay the claim of Williard H. Stimson and Son;

Also: Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California;

Also: Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing

the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 206—An act making an appropriation to pay the claim of Geo. A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California;

Also: Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California;

Also: Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California;

Also: Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated;

Also: Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs;

Also: Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture;

Also: Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California;

Also: Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer;

Also: Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the state and making an appropriation therefor;

Also: Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State land settlement finance committee the members of which are to serve without compensation; to define the powers and duties of said State land settlement finance committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be held in the month of November, 1924;

Also: Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir Trail" and laterals therefrom;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—9; absent—7.

GATES, E. J., Chairman.

Senate Bills Nos. 627, 100, 231, 475, 476, 206, 207, 724, 12, 630, 631, 312, 197, 472, 437, 116 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano;

Also: Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote—9; absent—7.

GATES, E. J., Chairman.

Senate Bills Nos. 56 and 316 ordered to print and on file for second reading.

ADJOURNMENT.

At five o'clock and five minutes p.m., on motion of Senator Gates, E. J., the President pro tempore declared the Senate adjourned until Monday, May 7, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, May 7, 1923.

Pursuant to adjournment, the Senate met at 11 o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, May 4, 1923, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following delegates to the convention of Knights of Columbus at Sacramento: Hon. Joseph Scott, Past State Deputy; Hon. Paul J. McCormick, Past State Deputy; D. Joseph Coyne, State Deputy; Thos. A. Murphy,

State Secretary: J. A. Shields, State Treasurer: Rev. John Clifford, State Chaplain: John A. Mulvaney, State Warden: Jos. A. Kennedy, Frank M. Silva, Past State Deputy: John D. Mett, J. J. McGuinness, John T. Donohue, F. E. Michel, Hon. Dixon L. Phillips, Hon. Thos. P. White, Joseph L. Sweeney, District Deputy: R. A. Mackenzie, Special Supreme Agent: Dr. John E. Bohm, Grand Knight: A. J. Adams, J. L. White, J. A. Rombardi, J. J. Groom, John M. O'Dea, M. E. Griffith, Hy M. Borchard, B. J. Leonard, H. A. Caulfield, W. F. Lennett, Peter Ferry, John A. Kelly, J. J. Ring, A. A. DeMello, A. J. Ahern, Joseph O'Connor, F. P. Jenal, H. J. Quinn, E. F. Conlin, James P. McLaughlin, Henry S. Hoffman, W. A. Chowen, T. A. Gould, T. Frank O'Neil, N. J. Martin, C. F. Campbell, F. Briare, M. H. McManus, J. J. Jones, E. F. Distel and Fred Karl.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Joseph Scott, Judge Paul J. McConick, Mr. Jesse E. Stephens, City Attorney, and Mr. L. J. Enler, of Los Angeles.

On request of Senator Eden, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Thomas H. Feeley, Dr. J. T. Connelly, Dr. V. A. Rossiter, and Robt. A. MacKenzie of San Francisco, and Joseph A. Greed of Visalia.

On request of Senator Johnson, A. B., the privilege of the floor of the Senate Chamber for the day was unanimously extended to W. J. Millen and L. F. Wright of San Fernando, Mr. and Mrs. M. J. Brennan, Mr. and Mrs. Peter L. Ferry, Fred H. Huesman, Mr. and Mrs. Harry Girard, and Mr. and Mrs. H. V. Henry of Glendale, M. Donovan and Barney Leonard of Pasadena, Vincent A. Gualano of Alhambra, and George H. Baldin of Hollywood.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. James A. Cabalan, Joseph Lombardi, Mr. and Mrs. Al. Wilen, Noel Collin and Daniel FitzGerald of Santa Rosa Council, Knights of Columbus, and to Councilman J. L. White and Mr. and Mrs. R. G. McNally of Petaluma Council, Knights of Columbus.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference and the amendments to Assembly Bill No. 40.

ARTHUR A. OHNTMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 547—An act to amend section 1932 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by

such persons; providing for the punishment of those guilty of offenses with reference to such persons; and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts;

Also: Assembly Bill No. 1350—An act to amend section 953b of the Code of Civil Procedure relating to undertakings.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 547 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1350 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.-

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties;

Also: Senate Bill No. 296—An act to amend section 52 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 738—An act to amend section 1925 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers;

Also: Senate Bill No. 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 721—An act authorizing and directing the California Highway Commission to lay out and acquire a right of way or rights of way for a highway or highways from the county line of the city and county of San Francisco, in, to and through San Mateo County, and to construct the same at a location or locations to be selected by said commission; declaring and establishing the same as a State highway or State highways; authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway or highways; authorizing the California Highway Commission to accept said contributed money or property and to place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created;

Also: Senate Bill No. 603—An act to amend sections 1, 2, 21, 3, 5, 7, 15, 17, 214, 22, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add six new sections to be numbered 2a, 14a, 14b, 21a, 21b, 22a and 29a;

And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

WEST, Chairman.

HARRIS.

SAMPLE.

JOHNSON.

NELSON.

BREED.

ARBuckle.

Assembly Bill No. 900 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays, has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3; absent—2.

HUGHES, Chairman.

Assembly Bill No. 783 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventh day of May, 1923, at twelve o'clock and thirty minutes p.m.

GATES, DR., Chairman.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repairs done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act; and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in

regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SHARKEY, Chairman.
BREED.
ARBUCKLE.
GATES, E. J.
SLATER.
BOGGS.
LYON.
HAFT.
EDEN.
JOHNSON.

Senate Bill No. 743 ordered to second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

NELSON, Chairman.
BREED.
POWERS.
SAMPLE.
GATES, E. J.
CANEPA.
BOGGS.
LYON.

Senate Bill No. 744 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-THREE.

Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide

for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-FOUR.

Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Bill read second time, and ordered on file for third reading.

UNFINISHED BUSINESS.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 40—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, 4236n, 4236o, 4236p, inclusive, of the Political Code, and to add a new section to said code to be numbered 4236q, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—report that we have met a like committee of the Assembly, consisting of Assemblymen Morris, McDowell, and Stevenot, and we report that the Committee on Free Conference have agreed to recommend the following: The adoption of the bill as amended in the Senate April 23, and also with the attached amendments.

AMENDMENT NUMBER ONE.

On page 3, line 47, of the printed bill, strike out the words "eight hundred" and insert in lieu thereof "nine hundred twenty".

AMENDMENT NUMBER TWO.

On page 3, line 48, of the printed bill, strike out the words, "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER THREE.

On page 3, line 50, of the printed bill, strike out the words "eight hundred" and insert in lieu thereof "nine hundred twenty".

AMENDMENT NUMBER FOUR.

On page 4, line 2, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER FIVE.

On page 4, line 4, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER SIX.

On page 4, line 21, of the printed bill, strike out the words "one thousand nine hundred eighty" and insert in lieu thereof "two thousand one hundred".

AMENDMENT NUMBER SEVEN.

On page 4, line 22, of the printed bill, strike out the words "one thousand nine hundred eighty" and insert in lieu thereof "two thousand one hundred".

AMENDMENT NUMBER EIGHT.

On page 4, line 25, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

AMENDMENT NUMBER NINE.

On page 4, line 27, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

AMENDMENT NUMBER TEN.

On page 4, line 28, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

DENNETT,
BOGGS,
JONES,

Senate Committee on Free Conference.

On motion of Senator Jones, the report of Committee on Free Conference and the amendments were adopted.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following resolution was offered:

By Senator Chamberlin: Senate Concurrent Resolution No. 25—Relative to approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the first day of May, 1923.

Senate Concurrent Resolution No. 25 read and referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "seventy-fourth" and insert in lieu thereof the word "seventy-fifth."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the word "seventy-fifth" and insert in lieu thereof the word "seventy-sixth."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed bill, strike out the word "seventy-sixth" and insert in lieu thereof the word "seventy-seventh."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 4 and 5, of the printed bill, strike out the word "seventy-seventh" and insert in lieu thereof the word "seventy-eighth."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 9, of the printed bill, strike out the word "seventy-eighth" and insert in lieu thereof the word "seventy-ninth."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 13, of the printed bill, strike out the word "seventy-ninth" and insert in lieu thereof the word "eightieth."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 17, of the printed bill, strike out the word "eightieth" and insert in lieu thereof the word "eighty-first."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 20, of the printed bill, strike out the words "two hundred", and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 1, line 24, of the printed bill, strike out the word "three" and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 4, of the printed bill, strike out the words "three hundred", and insert in lieu thereof the words "one hundred fifty".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 8, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 21, of the printed bill, after the semicolon following the word "dollars", insert the words, "and shall during the eighty-second fiscal year, namely during the fiscal year commencing on the first day of July one thousand nine hundred thirty, draw his warrant in favor of said highway commission for the sum of three hundred thousand dollars; and shall during the eighty-third fiscal year, namely the fiscal year commencing on the first day of July one thousand nine hundred thirty-one, draw his warrant in favor of said highway commission for the sum of three hundred thousand dollars".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 493—An act to amend section 476 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, insert the word "four" before the word "clerks."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, insert the word "one" before the word "phonographic."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, insert the word "one" before the word "service."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, insert the word "eleven" after the word "and."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, strike out the word "and" after the word "agent", and in lieu thereof insert the following: " , two clerks and four".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, in line 4 of the title, strike out the period after the word "office", and in lieu thereof insert the following: ", by authorizing the appointment of two additional clerks and four additional stenographers in such office; and making an appropriation to pay the salaries of such additional clerks and stenographers during the seventy-fifth and seventy-sixth fiscal years."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, after the period at the end of line 16, add the following:

"SEC. 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of twenty-one thousand six hundred dollars, to be used for the payment of the salaries of the additional clerks and stenographers provided for by this act during the seventy-fifth and seventy-sixth fiscal years."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 733—An act to regulate the sale of agricultural minerals and to provide penalties for the infraction thereof, and means for the enforcement of the act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 33, of the printed bill, strike out all of section 10.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 42, of the printed bill, strike out the words "Sec. 11," and insert in lieu thereof the words "Sec. 10."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "dam" insert the words "or grand dam".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 8 and 9, of the printed bill, strike out the words "bureau of capriculture of the state department of agriculture" and insert in lieu thereof the words "department of agriculture of the State of California".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 12 and 13, of the printed bill, strike out the words "bureau of capriculture of the state department of agriculture" and insert in lieu thereof the words "department of agriculture of the State of California".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 15 and 16 and insert in lieu thereof the words

"DEPARTMENT OF AGRICULTURE
STATE OF CALIFORNIA."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, lines 27 and 28, of the printed bill, strike out the words "bureau of capriculture state department of agriculture" and insert in lieu thereof the words "department of agriculture of the State of California".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 35, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 38, of the printed bill, strike out the word "state".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 39, of the printed bill, after the word "agriculture" insert the words "of the State of California".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 42, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 50, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words, "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 4, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words, "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 7, of the printed bill, strike out the words, "bureau of capriculture" and insert in lieu thereof the words, "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, lines 11 and 12, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words, "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 19, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words, "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 24, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words, "department of agriculture".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 26, of the printed bill, strike out the words "bureau of capriculture" and insert in lieu thereof the words, "department of agriculture".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 585—An act appropriating money to be used toward the purchase of land for agricultural laboratory purposes near the grounds of the University of California at Berkeley.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 1 to 3, both inclusive, of the title of the printed bill, and in lieu thereof insert the following: "An act to provide additional land and buildings for use in connection with the department of agriculture of the University of California at Berkeley and making an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 8 both inclusive and insert in lieu thereof the following:

"SECTION 1. The sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be used in accordance with law for the purchase of land near the grounds of the University of California, at Berkeley, and for the erection of greenhouses either on said lands so to be purchased or on other lands of the University of California, at Berkeley, for use in connection with the department of agriculture of the University, and to be expended by the regents of the University of California.

SEC. 2. The additional sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury after July 1, 1925, for the same purposes as are specified in section one hereof, and to be expended by the regents of the University of California.

SEC. 3. No moneys shall be paid out of the state treasury hereunder until the regents of the University of California file with the state controller a certificate under its seal and the hand of its secretary, stating that it has in its hands the sum of at least fifty thousand (50,000) dollars in addition to the moneys hereby appropriated, available for use for the purposes specified in section one hereof.

SEC. 4. It is the intent hereof that as soon as the additional sum of fifty thousand (50,000) dollars mentioned in section three is available, that all or any part of the moneys hereby appropriated may be used as a deposit on account of the purchase of said lands or for the erection of all or any part of said buildings. The regents of the University of California are hereby given full discretion in the location of the said lands and of said buildings and to determine the provisions of any contracts to be entered into for the purchase of said lands or the construction thereof."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 584—An act making an appropriation for the support, maintenance and equipment of the University of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the first line of the title of the printed bill, after the word "for" strike out the remainder of the title and insert in lieu thereof the following: "improvements including repairs and equipment at the University of California."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 and 2 and insert in lieu thereof the following: "The sum of ninety thousand dollars, or so much".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, after the word "for" strike out the remainder of the line and those words in line 6 to and including the word "equipment" and insert in lieu thereof the following: "improvements including repairs and equipment".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, after the period following the word "California" add the following: "The money herein appropriated shall be subject to audit by the board of control after expenditure by the regents of the University of California and shall be exempt from the provisions of section 683 of the Political Code."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California; to authorize the creation of a bureau of capriculture in the Department of Agriculture of the State of California; to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 2, 3 and 4, of the title, strike out the following: "to authorize the creation of a bureau of capriculture in the department of agriculture of the State of California:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 1 and 2 or all of section one, and insert in lieu thereof the following: "This act shall be known as the "goat dairy law" of California. The provisions of this act shall apply only to commercial goat dairies, which for the purposes of this act, shall be construed to mean those places having more than three milking goats, from any one or all of which goat milk is sold.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill strike out lines 3 to 11 inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 20, of the printed bill, strike out the word "sixteen" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 1, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, of the printed bill, strike the word "particular" in line 9, insert a period and strike out the remainder of line 9 and all of line 10.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 11, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 24, of the printed bill, strike out the figure "7" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 31, of the printed bill, strike out the figure "8" and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 41, of the printed bill, strike out the figure "9" and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 49, of the printed bill, strike out the figure "10" and insert in lieu thereof the figure "9".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 49, of the printed bill, strike out the following: "which have six or more milking does."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 24, of the printed bill, strike out the figure "11" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 32, of the printed bill, strike out the figure "12" and insert in lieu thereof the figure "11."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 42, of the printed bill, strike out the figure "13" and insert in lieu thereof the figure "12".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 46, of the printed bill, strike out the figure "11" and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 3, of the printed bill, strike out the figure "15" and insert in lieu thereof the figure "14".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, line 6, of the printed bill, strike out the figure "16" and insert in lieu thereof the figure "15".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, lines 8 and 9, of the printed bill, after the word "dollar" strike out the following: "when the dairy consists of six or more milking does."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 4 of the printed bill, strike out lines 13 and 14 and insert in lieu thereof the words:

"DEPARTMENT OF AGRICULTURE,
STATE OF CALIFORNIA".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 33, of the printed bill, strike out the figure "17" and insert in lieu thereof the figure "16".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, lines 33 and 34, of the printed bill, strike out the words "officer in charge of the bureau of capriculture" and insert in lieu thereof the following: "department of agriculture of the State of California".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 35, of the printed bill, strike out the period and the words "said officer" and in lieu thereof insert "and the director of agriculture".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 39, of the printed bill, strike out the figure "18" and insert in lieu thereof the figure "17".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 46, of the printed bill, strike out the figure "19" and insert in lieu thereof the figure "18".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 3, of the printed bill, strike out the figure "20" and insert in lieu thereof the figure "19".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 406—An act appropriating five hundred dollars for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, insert the word "and" before the word "assistant".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, insert the word "one" before the word "chief".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, insert the word "twelve" before the word "additional".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, insert the word "one" before the words "of such".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 9, of the printed bill, insert the word "five" before the word "of".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 10, of the printed bill, strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 11, of the printed bill, insert the word "five" before the words "of such".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 12, of the printed bill, strike out the period after the word "each", and in lieu thereof, insert the following: ", and the annual salary of one of such additional deputies shall be three thousand dollars."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 1 of the printed bill, in line 4 of the title, strike out the period after the word "office", and, in lieu thereof, insert the following: ", by authorizing the appointment of three additional deputies in such office; and making appropriation to pay the salaries of such additional deputies during the seventy-fifth and seventy-sixth fiscal years."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, after the period at the end of line 16, add the following:

"SEC. 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of nineteen thousand eight hundred dollars, to be used for the payment of the salaries of the three additional deputies provided for by this act during the seventy-fifth and seventy-sixth fiscal years."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 470—An act providing for the enlargement of Mount Diablo Park, making an appropriation for the purchase of additional lands and roadways therefor, and for the development thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 4, both inclusive, of the title of the printed bill, and in lieu thereof insert the following:

"An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa county."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, both inclusive, and in lieu thereof insert the following:

"SECTION 1. There is hereby appropriated the sum hereinafter set forth, out of any moneys in the state treasury not otherwise appropriated, for the purchase by the Mount Diablo park commission, pursuant to the powers vested in such commission, of lands contiguous to those now included within Mount Diablo park in Contra Costa county.

SEC. 2. It is the intent and purpose of the State of California to provide a total of one hundred sixty-five thousand dollars for the purpose as expressed in section one of this act and there is hereby, for the said purpose, continuously appropriated, therefor, out of any moneys in the state treasury not otherwise appropriated, the sum of one hundred sixty-five thousand dollars, to be paid as hereinafter specified.

SEC. 3. Immediately upon the taking effect of this act the controller of the State of California shall draw his warrant in favor of the Mount Diablo park commission for the sum of twenty-five thousand dollars and the treasurer of the State of California is hereby directed to pay the same out of any moneys in the state treasury not otherwise appropriated.

SEC. 4. The controller of the State of California shall during the seventy-sixth fiscal year, namely during the fiscal year commencing on the first day of July, 1924, draw his warrant in favor of said Mount Diablo park commission for the sum of twenty-five thousand dollars; and shall during the seventy-seventh fiscal year, namely during the fiscal year commencing on the first day of July, 1925, draw his warrant in favor of said Mount Diablo park commission for the sum of twenty-five thousand dollars; and shall during the seventy-eighth fiscal year, namely during the fiscal year commencing on the first day of July, 1926, draw his warrant in favor of said Mount Diablo park commission for the sum of twenty-five thousand dollars; and shall during the seventy-ninth fiscal year, namely during the fiscal year commencing on the first day of July, 1927, draw his warrant in favor of said Mount Diablo park commission for the sum of twenty-five thousand dollars; and shall during the eightieth fiscal year, namely during the fiscal year commencing on the first day of July, 1928, draw his warrant in favor of said Mount Diablo park commission for the sum of forty thousand dollars. The treasurer of the State of California is hereby directed to pay each of said warrants out of any money in the state treasury not otherwise appropriated. All of said sums shall be applied by the Mount Diablo park commission in the manner as provided by section one of this act.

SEC. 5. There shall be collected annually in each of the fiscal years commencing on the first day of July, 1923, and ending on the thirtieth day of June, 1929, at the same time as other state revenue is collected, such a sum as may be necessary to provide the amount hereby appropriated and all officers charged by law with any duty in regard to the collection of said revenue are hereby required and obligated to do and perform each and every act and thing that shall be necessary to collect such sum."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and on file for third reading.

Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Seannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "hundred" strike out the word "eighty" and insert in lieu thereof the word "thirty".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative

districts and defining and establishing such districts and to repeal all acts in conflict with this act.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the enacting clause, insert the following:

"SECTION 1. Section seventy-eight of the Political Code is hereby amended to read as follows:

78. The state is divided into forty senatorial districts, which shall be designated and constituted as follows:

1. The counties of Del Norte, Humboldt, Mendocino and Trinity shall constitute the first senatorial district.

2. The counties of Siskiyou, Shasta, Modoc, Lassen, Tehama and Sierra shall constitute the second senatorial district.

3. The counties of Butte, Plumas, Glenn and Yuba shall constitute the third senatorial district.

4. The counties of Sonoma, Napa and Lake shall constitute the fourth senatorial district.

5. The counties of Solano, Yolo, Colusa and Sutter shall constitute the fifth senatorial district.

6. The counties of Contra Costa and Marin shall constitute the sixth senatorial district.

7. The county of Sacramento shall constitute the seventh senatorial district.

8. The county of San Joaquin shall constitute the eighth senatorial district.

9. A portion of the county of Alameda.

10. A portion of the county of Alameda.

11. A portion of the county of Alameda.

12. A portion of the county of Alameda.

13. A portion of the city and county of San Francisco.

14. A portion of the city and county of San Francisco.

15. A portion of the city and county of San Francisco.

16. A portion of the city and county of San Francisco.

17. A portion of the city and county of San Francisco.

18. A portion of the city and county of San Francisco.

19. The counties of San Mateo, Santa Cruz, Monterey and San Benito shall constitute the nineteenth senatorial district.

20. The county of Santa Clara shall constitute the twentieth senatorial district.

21. The counties of Stanislaus, Merced and Madera shall constitute the twenty-first senatorial district.

22. The counties of Nevada, Placer, El Dorado, Alpine, Amador, Calaveras, Tuolumne, Mariposa and Mono shall constitute the twenty-second senatorial district.

23. The county of Fresno shall constitute the twenty-third senatorial district.

24. The counties of Kings and Tulare shall constitute the twenty-fourth senatorial district.

25. The counties of Santa Barbara and Ventura shall constitute the twenty-fifth senatorial district.

26. The counties of Kern and San Luis Obispo shall constitute the twenty-sixth senatorial district.

27. A portion of the county of Los Angeles.

28. A portion of the county of Los Angeles.

29. A portion of the county of Los Angeles.

30. A portion of the county of Los Angeles.

31. A portion of the county of Los Angeles.

32. A portion of the county of Los Angeles.

33. A portion of the county of Los Angeles.

34. A portion of the county of Los Angeles.

35. A portion of the county of Los Angeles.

36. A portion of the county of Los Angeles.

37. The counties of San Bernardino and Inyo shall constitute the thirty-seventh senatorial district.

38. The county of Orange shall constitute the thirty-eighth senatorial district.

39. The counties of Riverside and Imperial shall constitute the thirty-ninth senatorial district.

40. The county of San Diego shall constitute the fortieth senatorial district.

SEC. 2. Section 90 of the Political Code is hereby amended to read as follows:

90. The state is hereby divided into eighty assembly districts, respectively numbered and constituted as follows:

1. The counties of Siskiyou, Shasta, Modoc and Lassen shall constitute the first assembly district.
2. The counties of Del Norte, Humboldt and Trinity shall constitute the second assembly district.
3. The counties of Mendocino and Lake shall constitute the third assembly district.
4. The counties of Tehama, Glenn, Colusa and Sutter shall constitute the fourth assembly district.
5. The counties of Butte and Plumas shall constitute the fifth assembly district.
6. The counties of Sierra, Yuba, Nevada and Placer shall constitute the sixth assembly district.
7. A portion of the county of Sacramento.
8. A portion of the county of Sacramento.
9. The counties of Yuba and Yolo shall constitute the ninth assembly district.
10. The county of Sonoma shall constitute the tenth assembly district.
11. The county of Marin shall constitute the eleventh assembly district.
12. The county of Solano shall constitute the twelfth assembly district.
13. The county of Contra Costa shall constitute the thirteenth assembly district.
14. A portion of the county of San Joaquin.
15. A portion of the county of San Joaquin.
16. A portion of the county of Alameda.
17. A portion of the county of Alameda.
18. A portion of the county of Alameda.
19. A portion of the county of Alameda.
20. A portion of the county of Alameda.
21. A portion of the county of Alameda.
22. A portion of the county of Alameda.
23. A portion of the county of Alameda.
24. A portion of the city and county of San Francisco.
25. A portion of the city and county of San Francisco.
26. A portion of the city and county of San Francisco.
27. A portion of the city and county of San Francisco.
28. A portion of the city and county of San Francisco.
29. A portion of the city and county of San Francisco.
30. A portion of the city and county of San Francisco.
31. A portion of the city and county of San Francisco.
32. A portion of the city and county of San Francisco.
33. A portion of the city and county of San Francisco.
34. A portion of the city and county of San Francisco.
35. A portion of the city and county of San Francisco.
36. A portion of the city and county of San Francisco.
37. The county of San Mateo shall constitute the thirty-seventh assembly district.
38. The counties of Santa Cruz and San Benito shall constitute the thirty-eighth assembly district.
39. A portion of Santa Clara county.
40. A portion of Santa Clara county.
41. The county of Stanislaus shall constitute the forty-first assembly district.
42. The counties of El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Mono and Inyo shall constitute the forty-second assembly district.
43. The counties of Merced and Madema shall constitute the forty-third assembly district.
44. The counties of Monterey and San Luis Obispo shall constitute the forty-fourth assembly district.
45. A portion of the county of Fresno.
46. A portion of the county of Fresno.
47. A portion of the county of Fresno.
48. The county of Tulare shall constitute the forty-seventh assembly district.
49. The county of Kings shall constitute the forty-ninth assembly district.
50. The county of Kern shall constitute the fiftieth assembly district.
51. The county of Santa Barbara shall constitute the fifty-first assembly district.
52. The county of Ventura shall constitute the fifty-second assembly district.
53. A portion of the county of Los Angeles.
54. A portion of the county of Los Angeles.
55. A portion of the county of Los Angeles.
56. A portion of the county of Los Angeles.
57. A portion of the county of Los Angeles.
58. A portion of the county of Los Angeles.
59. A portion of the county of Los Angeles.
60. A portion of the county of Los Angeles.
61. A portion of the county of Los Angeles.
62. A portion of the county of Los Angeles.
63. A portion of the county of Los Angeles.
64. A portion of the county of Los Angeles.

65. A portion of the county of Los Angeles.

66. A portion of the county of Los Angeles

67. A portion of the county of Los Angeles

68. A portion of the county of Los Angeles

69. A portion of the county of Los Angeles.

70. A portion of the county of Los Angeles.

71. A portion of the county of Los Angeles.

72. A portion of the county of Los Angeles.

73. A portion of the county of San Bernardino.

74. A portion of the county of San Bernardino.

75. The county of Orange shall constitute the seventy-fifth assembly district.

76. The county of Riverside shall constitute the seventy-sixth assembly district.

77. The county of Imperial shall constitute the seventy-seventh assembly district.

78. A portion of the county of San Diego.

79. A portion of the county of San Diego.

80. A portion of the county of San Diego.

SEC. 3. Any precinct, or portion of any precinct, not specifically described herein as constituting a portion of either a senatorial or assembly district, shall be attached to and constitute a part of the senatorial or assembly district adjacent thereto and situate within the same county or city and county, having, as shown by the last federal census a less population than any other such district adjacent thereto.

SEC. 4. All other acts in conflict with this act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 447—An act creating the Peninsula development district, comprising the city and county of San Francisco and a portion of San Mateo County, conferring certain powers thereon and providing for the exercise thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out the words "a portion of" in line 2 of printed title.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all after section 1 of printed bill, and insert in lieu thereof, the following:

"SEC. 2. For the purpose of making the necessary plans and estimates of cost for the development and work above recited, the peninsula development district is hereby created and shall comprise the territory within the boundaries of the city and county of San Francisco and the county of San Mateo.

SEC. 3. The district shall be managed by five trustees as follows: The president of the board of state harbor commissioners, the mayor of the city and county of San Francisco, the city engineer of the city and county of San Francisco, the chairman of the board of supervisors of the county of San Mateo, and the county surveyor of the county of San Mateo.

SEC. 4. The trustees shall have the power, and it shall be their duty to make surveys, investigations, plans and estimates of cost for any work essential to carrying out and achieving the objects stated in section one of this act, and to recommend the method to be adopted for the execution of the plans proposed.

SEC. 5. The trustees may appoint the necessary engineers, assistants, agents and employees necessary and expend any moneys appropriated as in this act provided for and authorized.

SEC. 6. The city and county of San Francisco is hereby authorized to appropriate from its revenues for the use of the district a sum not to exceed forty thousand dollars, the county of San Mateo is authorized to appropriate for such purpose a sum not to exceed ten thousand dollars, and the board of state harbor commissioners is authorized, with the consent of the governor, to appropriate from its revenues, for such purpose a sum not to exceed twenty-five thousand dollars.

SEC. 7. This act shall be in force and effect only until the first day of January, 1926, prior to which time the trustees shall make a complete report of their work, conclusions and recommendations, and file copies of the same with the board of

state harbor commissioners and the legislative bodies of the counties comprising the district. Any money unexpended shall be returned in proportion to contributions made by the counties and board of state harbor commissioners, and all records and personal property shall be deposited with the said board of state harbor commissioners."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 613—An act declaring property used in conducting lotteries, or for any purpose connected therewith, a nuisance, and providing for the abatement thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, insert a comma after the word "money".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, insert a comma after the word "dollars".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and on file for third reading.

Senate Bill No. 627—An act to provide for the survey and construction of a State highway from the Governor's Camp, in the California Redwood Park, to the Coast Road at the point where said Coast Road crosses the divide between Waddell Creek and Scott Creek, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 105—An act appropriating money to pay the claim of Williard H. Stimson and Son.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to

the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission, submitted February 8, 1913, approved by the chief of engineers of the United States Army and the Board of Engineers for rivers and harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section two of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 206—An act making an appropriation to pay the claim of Geo. A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the University Farm at agricultural fairs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the land settlement act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada mountains known as the "John Muir Trail" and laterals therefrom.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "control" strike out the remainder of line 7 and all of line 8 and insert in lieu thereof the following: "of the state board of control".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out all of section 2.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 28, of the printed bill, strike out the word "of" immediately preceding the word "directors" and substitute in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 28, of the printed bill, strike out the final "s" in the word "directors".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, strike out the word "board" and substitute in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, strike out the first word "board" and substitute in lieu thereof the word "department".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed bill, strike out the first two words "board of" and substitute in lieu thereof the word "state".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 26, of the printed bill, insert after the word "settlement" the word "board".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

On motion of Senator Crowley, Senate Bill No. 721 was passed on file.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

On motion of Senator Ingram, Senate Bill No. 409 was passed on file.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

On motion of Senator Johnson, M. B., Senate Bill No. 444 was passed on file.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

On motion of Senator Johnson, M. B., Senate Bill No. 446 was passed on file.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 249—An act providing for the employing of citizens of the State of California and of the United States on all public works done by authority of the State of California and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 249 refused passage by the following vote:

AYES—Senators Canepa, Carr, Creighton, Hurley, Inman, Jones, McDonald, and Murphy—8.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Chamberlin, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lyon, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—25.

Senate Bill No. 720—An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes.

On motion of Senator Hurley, Senate Bill No. 720 was passed on file.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

On motion of Senator Sample, Senate Bill No. 507 was passed on file.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties.

On motion of Senator Sample, Senate Bill No. 356 was passed on file.

Senate Bill No. 296—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title 15 of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 296 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 738—An act to amend section 19*r*5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of

such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 738 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 697—An act authorizing the board of control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance.

In the absence of the author, Senate Bill No. 697 was passed on file.

Senate Concurrent Resolution No. 24—Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 24 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 24 ordered transmitted to the Assembly.

Senate Bill No. 560—An act to amend section 791 of the Political Code, relating to notaries public.

On motion of Senator McDonald, Senate Bill No. 560 was passed on file.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of the boards of supervisors over the roads and highways of the county.

On motion of Senator Canepa, Senate Bill No. 390 was passed on file.

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

In the absence of the author, Senate Bill No. 696 was passed on file.

Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add four new sections to be numbered 14a, 14b, 21a, 22a and 29a.

In the absence of the author, Senate Bill No. 603 was passed on file.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1163—An act to amend section 12 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof" approved April 16, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764c, relating to powers and duties of high school boards.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the word "may" and insert in lieu thereof the word "must".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607a, relating to the publication of annual reports and courses of study by city boards of education.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "publish" and insert in lieu thereof "keep on file for public inspection".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the words "published with" and insert in lieu thereof the words "a part of".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the word "report," strike out "Each city board", and also strike out all of lines 15 to 22, both inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 24, of the printed bill, strike out the words "publish annually" and insert in lieu thereof the words "prepare annually and keep on file for public inspection".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, strike out "and to deliver a copy", and insert after the word "jurisdiction" a period, and also strike out all of lines 2, 3, 4, 5 and 6.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 366—An act to repeal chapter 210, Statutes of 1893, chapter 99, Statutes of 1897, chapter 321, Statutes of 1909, chapter 477, Statutes of 1921, and sections 1745, 1746, 1746a, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885a, 1886, 1887, 1888, 1888a, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883a, 1883b, 1883c, 1883d, 1883e, 1883f, 1883g, 1884, 1885, 1885a, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 8, line 5, of the printed bill, strike out the word and figure "Sec. 14." and insert in lieu thereof the word and figure "Sec. 15."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 9, line 33, of the printed bill, strike out the word and figure "Sec. 15." and insert in lieu thereof the following: "Sec. 16."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 9, line 51, of the printed bill, strike out the word and figure "Sec. 16." and insert in lieu thereof the following: "Sec. 17."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 11, line 22, of the printed bill, strike out the word and figure "Sec. 17." and insert in lieu thereof the following: "Sec. 18."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 12, line 38, of the printed bill, strike out the word and figure "Sec. 18." and insert in lieu thereof the following: "Sec. 19."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 434—An act to repeal section 1617 $\frac{1}{2}$ of the Political Code relating to the selling or leasing of school property unoccupied by any public school; to add a new section to the Political Code to be numbered 1617 $\frac{1}{2}$ relating to the selling or leasing of any real property upon which no public school is being maintained.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the words "board of education, or board of trustees," and insert in lieu thereof the following: "governing body".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, strike out the words "board of educa".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 10, of the printed bill, strike out the words "tion, or board of trustees" and insert in lieu thereof the words "governing body".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, strike out the words "board of education or board of trustees" and insert in lieu thereof the words "governing body".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 36, of the printed bill, strike out the word "board" and insert in lieu thereof the words "governing body".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 39, of the printed bill, strike out the word "board" and insert in lieu thereof the words "governing body".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 43, of the printed bill, strike out the word "board" and insert in lieu thereof the words "governing body". Strike out the words "of the board of".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 44, of the printed bill, strike out the word "education" and insert in lieu thereof the words "of said governing body". Strike out the words "of the" and insert in lieu thereof the word "thereof".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 45, of the printed bill, strike out the words "board of trustees".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 51, of the printed bill, after the word "education" insert "or other governing body".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 472—An act to amend section 1588 of the Political Code, relating to the appointment and election of union and joint union elementary school trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 473—An act to amend sections 1589, 1589a, 1590, 1591, 1591a of the Political Code, and to repeal section 1589b of the Political Code, relating to union elementary school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad avenue, Humboldt avenue, B, C, D and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 9, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 12, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 25, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 27, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 32, of the printed bill, after the word "abandon" insert the word "all".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 1, line 5, of the printed bill, strike out after the word "Sausalito" the semicolon (;) and add the following : "and being as laid out and delineated upon map number one of salt marsh and tide lands situate in the county of Marin, State of California, prepared by order of the board of tide land commissioners under the authority and in accordance with the provisions of an act entitled "An act supplementary to, and amendatory of an act, entitled An act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight", approved April 1st, 1870, copy of which map is on file in the office of the surveyor general of the State of California, and also on file in the office of the county recorder of Marin county, California ;".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633*e*, concerning the appointment by insurance companies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1116—An act to amend section 633*b* of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, M. B., moved to refer Assembly Bill No. 179 to Senator Ingram, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 18, of the printed bill, after the word "law" strike out the period, insert a semicolon and add the following: "*Provided further* that during the months of June, July, August, and September, the traffic officer shall have the power to appoint such other or extra traffic officer as may be required, whose compensation shall not exceed two thousand six hundred dollars in one year; all salaries to be paid in monthly installments out of the same fund as other officers are paid, *provided* that the traffic officer shall certify to the auditor the appointments of the extra men."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 179, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Special Committee.

Report read, and on motion of Senator Johnson, M. B., adopted.
Bill ordered to print.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 85 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Chamberlin moved to reconsider the vote whereby Assembly Bill No. 478 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Chamberlin, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 478 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Murphy, the further consideration of the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption was continued until the next legislative day.

RE-REFERENCE OF BILL.

On motion of Senator Lyon, Assembly Bill No. 318 was re-referred to Committee on Municipal Corporations.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation.

Assembly Constitutional Amendment No. 51 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Assembly Bill No. 74 passed on file.

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1121 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 409 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the child labor law, and regulating the employment, hours, kinds and conditions of labor of children: providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

Assembly Bill No. 810 passed on file.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Assembly Bill No. 336 passed on file.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 485 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr.: Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts.

Assembly Bill No. 685 passed on file.

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Assembly Bill No. 259 passed on file.

Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to relate to institutions of industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 815 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 364 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 392 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041g, relating to powers of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 881 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock p. m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and fifteen minutes p.m.

RECONVENED.

At two o'clock and fifteen minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Joseph A. Beek, Secretary of the Senate, at the desk.

LEAVE OF ABSENCE.

Senator Dennett was, on motion of Senator Harris, granted leave of absence for the remainder of this day.

PETITION.

The following petition was presented by Senator Ingram, and ordered printed in the Journal.

To Hon. Thomas Ingram, Senator, Third District, and

Mrs. Cora M. Woodbridge, Assemblyman, Ninth District.

We, the undersigned citizens of the State of California, hereby petition you and all other members of the California State Legislature, to use all your ability to prevent the enactment of an amendment of the game laws proposed by the stockmen of this State, having for its object the prevention of the use of one little dog in hunting deer, as at present permitted.

In this connection please be advised:

1. That this amendment is sought by a class of people (stockmen and their herders) and a few game wardens who are also stockraisers and who have at all times heretofore, are now, and will continue to be "dog hunting deer hunters themselves". They "dog" their own cattle by dogs trained for that purpose, yet complain that the mere sight of the deer dog of the hunter stampedes their cattle; they hunt deer with the same dogs, and if the inhibition becomes a law they will enjoy a monopoly of this manner of hunting.

2. A deer hunting dog never directly pays any attention to stock or poultry of any kind, and the sight of a sneaking still hunter will stampede cattle just as readily as the sight of a dog in the woods.

3. The use of the dog prevents the enormous waste in wounded deer by the still hunters, and scatters and often destroys the wild animals that feed on the stockman's herd.

4. Hunting with dog tends to the preservation of human life; who ever heard of hunters who use the dog shooting a man for a deer?

5. The stockraisers having satisfied themselves that they will succeed in asking for this amendment are already proposing to ask for an appropriation and the appointment of a number of "State hunters" to destroy the wild animals that prey on their stock. State hunters would use dogs.

6. There is room for the cattleman and the hunter on the vast expanse of reserved land in this State, to which the government invites all, to visit, camp, hunt and fish and upon which the government permits the stockman to graze his herd. The stockman would not attempt to hog it all. Let us keep our dogs; we are many and enjoy it.

We thank you.

GEO. COUGHLAN, Nevada City,
And 57 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry: to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifth day of May, 1923, at ten o'clock a.m.

GATES, DR., Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

HARRIS, Chairman.

INGRAM.
SLATER.
JOHNSON.
MURPHY.
ROMINGER.
EDEN.
JONES.
HUGHES.
CREIGHTON.
BOGGS.
CARR.
ALLEN.

Senate Bill No. 741 ordered on file for second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-ONE.

Senate Bill No. 741—An act to amend 1739 of the Political Code, relating to trustees of county high school districts.

Bill read second time and ordered on file for third reading.

REPORT OF STANDING COMMITTEE.

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Canepa to introduce a bill entitled—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Murphy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Powers, Rush, Sample, Slater, Swing, and West—31.

The Secretary announced the absentees.

Time, three o'clock p.m.

The President directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and three minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Crowley.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and the request to introduce a bill was granted, by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Powers, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced.

By Senator Canepa: Senate Bill No. 745—An act to amend section 739 of the Political Code relating to salaries of officers connected with the Supreme Court.

Senate Bill No. 745 read first time, and referred to Committee on Finance.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended;

Also: Assembly Bill No. 1159—An act to amend sections 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries;

Also: Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor;

Also: Assembly Bill No. 758—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8 and 8a of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, as amended, all relating to the levy and collection of taxes by and for the use of municipal corporations, public corporations and taxing districts and to the consolidation of certain municipal offices; and to add a new section to be numbered 8b, thereto, defining the term "municipal corporation" for the purposes of this act.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1301 read first time, and referred to Committee on County Government.

Assembly Bill No. 1159 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1131 read first time, and referred to Committee on County Government.

Assembly Bill No. 758 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State;

Also: Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class;

Also: Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof;

Also: Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1329 read first time, and referred to Committee on Education.

Assembly Bill No. 159 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 502 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 202 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools;

Also: Assembly Bill No. 792—An act to amend section 6260 of the Penal Code, relating to the shooting from moving boats;

Also: Assembly Bill No. 211—An act to amend sections 363, 363a, 363c and 363h of the Political Code, relating to the Department of Public Works;

Also: Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 561 read first time, and referred to Committee on Education.

Assembly Bill No. 792 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 211 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1007 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State;

Also: Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts;

Also: Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries;

Also: Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State board of Forestry and State Forester;

Also: Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class;

Also: Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class;

Also: Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts;

Also: Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 710, 713, 428, 401, 135, 134, 235 and 711, ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof;

Also: Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California;

Also: Senate Bill No. 36—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 434, 11 and 36 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Joint Resolution No. 16 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 18—Relative to needy Indians within the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Joint Resolution No. 18 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County;

Also: Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians;

Also: Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 275, 67 and 131 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 433—An act to provide for the creation of revolving funds in the school districts, high school districts and junior college districts of the State;

Also: Assembly Bill No. 1123—An act to amend section 2979 of the Political Code, relating to the National Guard of the State of California;

Also: Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class;

Also: Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3985, 3986 and 3987, relating to the purchase of records of vital statistics, and providing for the distribution thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 433 read first time, and referred to Committee on Education.

Assembly Bill No. 1123 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 1298 read first time, and referred to Committee on County Government.

Assembly Bill No. 1322 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 787 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts;

Also: Assembly Bill No. 1356—An act to amend section 19f of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such

persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March eighth, 1909, as amended by an act approved April fifth, 1911, and as amended by an act approved June sixteenth, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1343 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1356 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties:

Also: Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class;

Also: Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15a, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled "An act creating a veterans' welfare board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921;

Also: Assembly Bill No. 917—An act to amend section 1608 of the Political Code, relating to powers of boards of school trustees and city boards of education;

Also: Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, state or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 358 read first time, and referred to Committee on County Government.

Assembly Bill No. 551 read first time, and referred to Committee on County Government.

Assembly Bill No. 781 read first time, and referred to Committee on Finance.

Assembly Bill No. 917 read first time, and referred to Committee on Education.

Assembly Bill No. 1286 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 5, 1923, passed as amended, Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-TWO.

Senator Gates, E. J., asked for and was granted unanimous consent to take up Senate Bill No. 462.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-TWO.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the semicolon in line 21, add the following: "to acquire by purchase or otherwise lands for squares, parks, play grounds and places within the city or town, and to improve, equip and maintain the same;"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 23 following the comma after the word "highways", and the words "and places within the city or town," in line 24.

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, strike out the word "year", and insert in lieu thereof the word "years".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, after the semicolon add the following: "to acquire and improve public mooring places for water craft;"

AMENDMENT NUMBER FIVE.

On page 3, line 10, of the printed bill, after the word "operate", insert the following: "buss lines,"

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, after line 49, add the following:

"SEC. 2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 462?"

The roll was called, and Assembly amendments to Senate Bill No. 462 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hurley, Ingram, Johnson, M. B., Lyon, Murphy, Nelson, Powers, Rush, Slater, Swing, and West—25.

NOES—None.

Senate Bill No. 462 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 5, 1923, passed as amended, Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

In the absence of Senator Dennett, Senate Bill No. 481 was placed on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 5, 1923, passed as amended, Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHT.

Senator Ingram asked for and was granted unanimous consent to take up Senate Bill No. 408.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED EIGHT.

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out sections three, four, five and six, and insert in lieu thereof after the word "exchange" on page 1, line 20, the following: "*provided, however*, that all lands acquired by exchange under this act shall be subject to the laws governing state lands of the class from which the exchange was made."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 408?"

The roll was called, and Assembly amendment to Senate Bill No. 408 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Handy, Harris, Hart, Hurley, Ingram, Johnson, M. B., Lyon, Murphy, Nelson, Rush, Slater, Swing, and West—23.

NOES—None.

Senate Bill No. 408 ordered to enrollment.

SENATOR POWERS IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Powers of the second district was called to the chair.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Crowley moved to reconsider the vote whereby Assembly Bill No. 1334 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Crowley, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1334 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Harris moved to reconsider the vote whereby Senate Bill No. 417 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Harris, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 417 was refused passage was continued until the next legislative day.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 5, 1923, passed as amended, Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED NINETY-FOUR.

Senator Breed asked for and was granted unanimous consent to take up Senate Bill No. 494.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED NINETY-FOUR.

AMENDMENT NUMBER ONE.

Amend Senate Bill No. 494 by striking out all of the printed bill as amended April 5, 1923, beginning with the words "After such issuance" in line 44 on page 2 and ending with the word "bonds" in line 3 of page 3, and insert in lieu thereof the following: "Such new bonds shall be issued in an aggregate amount equal to the total balance of the re-assessment unpaid and shall bear interest from the date of recordation of the re-assessment at the rate fixed by the council. After such issuance of said new bonds and upon surrendering of the bonds outstanding, new bonds shall be issued ratably to the holders of the original bonds outstanding, each holder of such original bonds being entitled to such proportion of the new bonds as the total amount of the principal and interest due him on his original bonds, as of the date of such recordation of the re-assessment, bears to the total amount of the principal of such new bonds.

In making distribution the council shall have authority to assign the different bonds and allot maturities in such manner as to it shall seem equitable."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 494?"

The roll was called, and Assembly amendment to Senate Bill No. 494 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Gates, Dr., Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lyon, Murphy, Nelson, Powers, Rush, Slater, Swing, and West—26.

NOES—None.

Senate Bill No. 494 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 5, 1923, passed as amended, Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

In the absence of Senator Hart, Senate Bill No. 712 was ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

In the absence of Senator Chamberlin, Senate Bill No. 41 was ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 40—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

In the absence of Senator Chamberlin, Senate Bill No. 40 was ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senator Boggs asked for and was granted unanimous consent to take up Senate Bill No. 176.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED SEVENTY-SIX.

AMENDMENT NUMBER ONE.

On page 5, line 31, of the printed bill, strike out the words "four hundred" and insert in lieu thereof the words "two thousand".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 176?"

The roll was called, and Assembly amendment to Senate Bill No. 176 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lyon, Murphy, Powers, Slater, Swing, and West—24.

NOES—None.

Senate Bill No. 176 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

In the absence of Senator Canepa, Senate Bill No. 392 was ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, inclusive, relating to the reestablishment and redefinition of the boundaries of the counties of the State of California—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTEEN.

Senator Breed was granted unanimous consent to take up Senate Bill No. 315.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951,

3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the reestablishment and redefinition of the boundaries of the counties of the State of California.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FIFTEEN.

AMENDMENT NUMBER ONE.

On page 53 of the printed bill as amended, strike out the whole of lines 20 to 27, inclusive, and insert in lieu thereof the following: "three thousand nine hundred fifty-four; thence southwesterly in a direct line, to common corner of Plumas, Butte, and Yuba, in front of Buckeye House, as established in section three thousand nine hundred forty; thence on southwestern line of Butte, as established in section three thousand nine hundred twelve to the junction of Honcut creek with Feather river; thence down Feather river to the place of beginning."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 315?"

The roll was called, and Assembly amendment to Senate Bill No. 315 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Johnson, M. B., Jones, Lyon, Murphy, Powers, Rush, Sharkey, Slater, Swing, and West—25.

NOES—None.

Senate Bill No. 315 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

In the absence of Senator Chamberlin, Senate Bill No. 539 was ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TWENTY-SIX.

Senator Swing asked for and was granted unanimous consent to take up Senate Bill No. 526.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-SIX.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, following subdivision 8, insert the following:

Sa. Traffic officers. The traffic officer, two thousand two hundred fifty dollars per annum.

Sb. Fish and game warden. The fish and game warden, one thousand five hundred dollars per annum.

Sc. Live stock inspector. The live stock inspector, one thousand two hundred dollars per annum."

AMENDMENT NUMBER TWO.

On page 4, line 18, of the printed bill, strike out the word "two" and insert in lieu thereof the word "four".

AMENDMENT NUMBER THREE.

On page 4, line 29, of the printed bill, strike out the word "one" and insert in lieu thereof the word "two."

AMENDMENT NUMBER FOUR.

On page 6, line 8, of the printed bill, after the word "have" strike out the balance of line 8 and all of lines 9, 10, 11, 12 and 13 and insert in lieu thereof, the following: "not to exceed three emergency deputies who shall receive one hundred dollars per month each and not to exceed eight emergency clerks at a compensation of not to exceed five dollars per day. Such emergency deputies and emergency clerks shall be employed during tax paying time but only for such period of time as the board of supervisors shall determine. The total expenditure during any one year for such emergency deputies and clerks shall not exceed six thousand dollars."

AMENDMENT NUMBER FIVE.

On page 6, following line 13, insert a new subdivision as follows:

"(1) The traffic officer shall have five regular deputies and not to exceed three additional deputies when the board of supervisors shall determine that the duties of such office requires the services of such additional deputies, at a salary of twenty-one hundred dollars per annum; *provided, however,* that the board of supervisors may, in cases of emergency authorize the traffic officer to appoint and employ emergency deputies at a compensation of not to exceed six dollars per day, for each deputy; such additional and emergency deputies, however, shall not be employed except and only when and during such time as the board of supervisors shall from time to time determine. The total amount to be expended for such emergency deputies during any one year shall not exceed the sum of two thousand dollars. The traffic officer and his deputies shall furnish their own vehicles, but gasoline and oil necessarily used in the operation thereof while in the performance of official duties, shall be furnished by the county. The provisions of this act relating to traffic officer and his deputies, shall apply wherever the county office of traffic officer is created by law."

AMENDMENT NUMBER SIX.

On page 6, line 17, of the printed bill, strike out the word "traveling" after the word "actual".

AMENDMENT NUMBER SEVEN.

On page 6, line 17, of the printed bill, after the word "expense", insert the words "including traveling expenses".

AMENDMENT NUMBER EIGHT.

On page 6, line 18, of the printed bill, after the word "duties" insert the following: "except going to and from their respective offices, from and to their respective homes."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 526?"

The roll was called, and Assembly amendments to Senate Bill No. 526 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Johnson, M. B., Jones, Lyon, Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Senate Bill No. 526, ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIVE.

Senator Hurley asked for and was granted unanimous consent to take up Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill as amended April 27, strike out the words "twenty-five" and insert in lieu thereof the word "fifty".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill as amended April 27, strike out that part of line 10 following the period, and strike out all of lines 11 to 14, inclusive.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 405?"

The roll was called, and Assembly amendments to Senate Bill No. 405 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, M. B., Jones, Murphy, Powers, Sharkey, Slater, Swing, and West—24.

NOES—None.

Senate Bill No. 405 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED THIRTY-THREE.

Senator Ingram asked for and was granted unanimous consent to take up Senate Bill No. 333.

An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED THIRTY-THREE.

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, after line 52, insert the following:

"18. The county traffic officer, one thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy, which office is hereby created. Said deputy shall be appointed by said county traffic officer and shall receive a salary of one thousand five hundred dollars per annum, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles for said traffic officer and his deputy and provide gasoline and oil for the purpose of propelling the same and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply

to the office of county traffic officer and his deputy whenever said office of county traffic officer is created by law."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 333?"

The roll was called, and Assembly amendment to Senate Bill No. 333 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, M. B., Lyon, Murphy, Powers, Sample, Slater, Swing, and West—25.

NOES—None.

Senate Bill No. 333 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on May 5, 1923, passed as amended, Senate Bill No. 580. An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than \$10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED EIGHTY.

Senator Breed asked for and was granted unanimous consent to take up Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than \$10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY.

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill as amended March 30, 1923, after the word "perpetual" insert a comma and the following: "or if any such reclamation, irrigation or other district maintains an office then in the office of his own such district instead of the office of the county clerk."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 580?"

The roll was called, and Assembly amendment to Senate Bill No. 580 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Hurley,

Ingram, Johnson, M. B., Lyon, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—28.
NOES—None.

Senate Bill No. 580 ordered to enrollment.

REQUESTS FOR INTRODUCTION OF BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Senator Canepa:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Request referred to Committee on Rules.

Also:

By Senator Gates, E. J.:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas or other hydrocarbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act.

Request referred to Committee on Rules.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 588 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B., McDonald, Murphy, Powers, Rush, Sample, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments.

Bill read third time.

Assembly Bill No. 564 passed on file.

Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32a, relating to the issuing of funding or refunding bonds of such districts.

Assembly Bill No. 568 passed on file.

Assembly Bill No. 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 316 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 563—An act to amend section 31 of the California irrigation district act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts.

Assembly Bill No. 563 passed on file.

Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32b, relating to the creation of an irrigation district bond security fund.

Assembly Bill No. 579 passed on file.

Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1311 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 823 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Powers, Rush, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms.

Assembly Bill No. 631 passed on file.

Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees.

Assembly Bill No. 628 passed on file.

Assembly Bill No. 317—An act authorizing counties, cities and cities and counties to provide public entertainments and to charge admission therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 317 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149e and 4149f, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1314 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Assembly Bill No. 499 passed on file.

Assembly Bill No. 796—An act to amend section 4300a of the Political Code, relating to the fees of the county clerk.

Assembly Bill No. 796 passed on file.

Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1321 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Lyon, McDonald, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class.

Assembly Bill No. 80 passed on file.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

Assembly Bill No. 1293 passed on file.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Assembly Bill No. 1051 passed on file.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

Assembly Bill No. 749 passed on file.

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 501 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Powers, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 924 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1074 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same" which became a law, under constitutional provision, without Governor's approval, March 1, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1198 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Powers, Rush, Sample, Slater, and Swing—29.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards, approved March 19, 1889."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1199 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lyon, McDonald, Murphy, Powers, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose" which became a law, under constitutional provision, without Governor's approval, March 1, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1201 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lyon, McDonald, Murphy, Powers, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 795 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Jones, Lyon, McDonald, Nelson, Powers, Rush, Sample, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Assembly Bill No. 13 passed on file.

Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Assembly Bill No. 807 passed on file.

Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1122 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1124 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1331 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor." approved May 3, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1315 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School.

Assembly Concurrent Resolution No. 21 passed on file.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Senator Breed, Senator Powers declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, May 8, 1923.

The Senate met at 11 o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, May 7, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Arbuckle was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Gates, W. F., the privilege of the floor of the Senate Chamber for the day was unanimously extended to C. W. Guerin of Pomona.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Bruce C. Mason of Long Beach.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following from Franklin Union School of Franklin:

Principal—Peter J. Kramer. Pupils—Esther Tegen, Elva Nicholas, Bessie Davis, Myrtle Kloss, Carl Johanson, Howard King, Inez Ashbury, Geneva Hack, Ida Harrison, Irene Spinelli, Carl Tegen, Caesar Somatis, Raymond Ehrhardt, Katherine Balliet, Elmer Hoertling, Clovis Ruhl, Ardis King, Helen Johnson, Edith Pederson, Francis Kloss, Louise Balliet, Bruce King, Donnie Mohr, Glenn Haynes, Solomon Kammerer, Clarke Kloss, Guy Monice, Leon Black, Richard Bilby and Mrs. Johnson.

APPROVAL OF JOURNALS.

On motion of Senator Breed, Senate Journals of Monday, March 12, Tuesday, March 13, Wednesday, March 14, Thursday, March 15, Monday, March 19, Tuesday, March 20, Wednesday, March 21, Thursday, March 22, Friday, March 23, Monday, March 26, Tuesday, March 27, Wednesday, March 28, Thursday, March 29, and Friday, March 30, were approved as corrected.

Motion carried.

APPROVAL OF JOURNALS.

On motion of Senator Breed, the Senate Journals of Monday, April 2, Tuesday, April 3, Wednesday, April 4, Thursday, April 5, Friday, April 6, Monday, April 9, Tuesday, April 10, Wednesday, April 11, Thursday, April 12, Friday, April 13, Monday, April 16, Tuesday, April 17, Wednesday, April 18, Thursday, April 19, Friday, April 20, Monday, April 23, Tuesday, April 24, Wednesday, April 25, Thursday, April 26, Friday, April 27, and Monday, April 30, were approved as corrected.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 979—An act to provide for the organization and government of road districts, and to provide for the construction, acquisition and maintenance of roads in such districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

POWERS, Chairman.

Assembly Bill No. 979 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 336—An act concerning aeronautics and to make uniform the

law with reference thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

OSBORNE, Chairman.
DENNETT.
SWING.
BREED.
GODSIL.
HURLEY.
GATES, E. J.

Senate Bill No. 336 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED THIRTY-SIX.

Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act;

Also: Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

BOGGS, Chairman.

Assembly Bills Nos. 430 and 1333 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that it do pass as amended.

(Signed out)

HARRIS, Chairman.
CREIGHTON.
BOGGS.
MURPHY.
EDEN.
CARR.
ALLEN.
JOHNSON, M. B.
INGRAM.
ARBuckle.

Assembly Bill No. 1064 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors;

Also: Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23a of article XII thereof, relating to the fixing by the Railroad

Commission of compensation for taking public utility property in eminent domain proceedings;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Senate Constitutional Amendment No. 16 ordered on file.

Assembly Constitutional Amendment No. 31 ordered on file.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the Mother Lode Fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people;

Also: Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—11; absent—2.

POWERS, Chairman.

Assembly Bills Nos. 320 and 1343 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 567—An act to amend section 453e of the Civil Code, relating to insurance—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

BURNETT, Chairman.

MURPHY.

GRAY.

NELSON.

HANDY.

LYON.

HUGHES.

Senate Bill No. 567 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED SIXTY-SEVEN.

Senate Bill No. 567—An act to amend section 453e of the Civil Code, relating to insurance.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the words "453e" insert the following: "Corporations may be formed to carry on the business of mutual insurance upon the assessment plan, and are subject only to the provisions of this chapter. No such corporation may issue contracts of insurance until at least five hundred persons have applied, in writing, to the insurance commissioner, for membership or insurance therein, and have paid to the treasurer of such corporation the sum of fifteen thousand dollars. This sum must be invested in bonds or securities, approved

by the insurance commissioner of the state, or deposited in some bank in this state where it will earn interest. Said bonds or securities, or evidences of such deposit, must be placed, through the insurance commissioner of this State, with the state treasurer, and the principal sum must be held in trust for the contract holders of such corporation, with the right in the corporation to exchange said bonds, securities, or evidence of bank deposit for others of like value. Such corporation must also, as a condition precedent to issuing any contracts of insurance, obtain the written certificate of the insurance commissioner that it has complied with the requirements of this chapter; and that the name of the corporation is not the same as that of any other corporation of this or other states, as indicated by the insurance department reports in his office; nor must the commissioner approve any name or title so closely resembling another as to mislead the public. No corporation formed hereunder has legal existence after one year from the date of its articles unless its organization has been completed and business commenced; nor shall any corporation or individual solicit, or cause to be solicited, any business, until such corporation has complied with the provisions of section six hundred thirty-three of the Political Code. Nothing in the chapter shall be construed to exempt any corporation from the provisions of sections two hundred ninety-six and two hundred ninety-nine of this code."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534a, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and repealing section 1534 of the Political Code:

Also: Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California:

Also: Senate Bill No. 699—An act to provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor:

Also: Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—12; absent—4.

GATES, E. J., Chairman.

Senate Bills Nos. 7, 301, 699 and 50 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN.

Senate Bill No. 7—An act to add a new section to the Political Code, to be numbered 1534a, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and repealing section 1534 of the Political Code.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Inman.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 4 of the title, after the comma following the word "nation" insert the following: "and making an appropriation for the provisions of this act".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, line 6 of the title, strike out the period after the word "Code" and insert the following: "relating to the government of private schools

conducted wholly or in part in a language of a foreign nation, approved June 3, 1921."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 36 and 37, of the printed bill, strike out the words "his agreement as specified in".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 43, of the printed bill, after the word "city" and before the word "or" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 48, of the printed bill, strike out the word "his" and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 48, of the printed bill, after the word "duty" insert the words "of the latter".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 48, of the printed bill, after the word "without" insert the word "additional".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 24, of the printed bill, strike out the word "conducted" and insert in lieu thereof the word "taught".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED ONE.

Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED NINETY-NINE.

Senate Bill No. 699—An act to provide for the establishment and maintenance of a Division of Dental Hygiene for children under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER FIFTY.

Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district.

Bill read second time, and ordered on file for third reading.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of" strike out the words "one thousand five" and insert in lieu thereof the following: "nine".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act;

Also: Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora in Tuolumne County, to be a State highway," approved June 3, 1921;

Also: Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office;

Also: Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Murphy:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tide lands belonging to the State of California.

Request referred to Committee on Rules.

By Senator Gates, E. J.:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the budget act at the present session of the Legislature.

Request referred to Committee on Rules.

By Senator Jones:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULRS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT, Your Committee on Rules, to which was referred the request of Senator Jones to introduce a bill entitled—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years—has the honor to report, and respectfully reports the same with its recommendations that the request be granted.

(Committee membership—See membership vote, April 5.)

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Bates, Breed, Carson, Chamberlain, Crockett, Crowley, Johnson, Jones, Lester, Fox, Gates, E. J., Gould, Gray, Handy, Harris, Hart, Hennessey, Johnson, Jones, Johnson, A. B., Johnson, M. B., Jones, Lester, McCall, Murray, Nelson, Patterson, Powers, Robinson, Ross, Sargent, Sharkey, Senter, Smith, and West—34.
 NAYS—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Jones: Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

Senate Bill No. 749 read first time, and referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULRS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT, Your Committee on Rules, to which was referred the request of Senator Gates, E. J., to introduce a bill entitled—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas or other hydrocarbon deposits and providing for the assessment of the same under said lease and creating a commission to carry out the provisions of this act—has the honor to report, and respectfully reports the same with its recommendations that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Bates, Breed, Carson, Carr, Chamberlain, Crowley, Gates, Fox, Gray, E. J., Gould, Gray, Handy, Harris, Hart, Hennessey, Johnson, Jones, Johnson, A. B., Jones, Lester, Linn, Murray, Nelson, Patterson, Powers, Robinson, Ross, Sargent, Sharkey, Senter, Smith, and West—43.
 NAYS—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Gates, E. J.: Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydrocarbon deposits and providing for the dispo-

sition of the moneys under said leases, and creating a commission to carry out the provisions of this act.

Senate Bill No. 746 read first time, and referred to Committee on Oil Industries.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Murphy to introduce a bill entitled—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tide lands belonging to the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Murphy: Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tide lands belonging to the State of California.

Senate Bill No. 747 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Gates, E. J., to introduce a bill entitled—An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the budget act passed at the present session of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Gates, E. J.: Senate Bill No. 748—An act relating to the use of the moneys in special funds in the State treasury hereto-

fore created by law, and supplementing the budget act passed at the present session of the Legislature.

Senate Bill No. 748 read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas or other hydrocarbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

LYON, Chairman.
GATES, E. J.
EDEN.
HART.
CREIGHTON.
CANEPA.
SHARKEY.

Senate Bill No. 746 ordered on file for second reading.

RE-REFERENCE OF BILLS.

On motion of Senator Gates, E. J., Assembly Bills Nos. 581 and 587 were taken from Committee on Finance and re-referred to Committee on Military Affairs.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Crowley moved to reconsider the vote whereby Assembly Bill No. 1334 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Crowley, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1334 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Murphy, the further consideration of the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 85 was passed was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21 $\frac{1}{2}$, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add four new sections to be numbered 14a, 14b, 21a, 22a and 29a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 603 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 697 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 544—An act to regulate the sale and issuance of hunting and fishing licenses; providing a method for the issuance thereof; providing for a penalty for the violation thereof and repealing all acts or parts of acts in conflict herewith.

On motion of Senator Creighton, Senate Bill No. 544 was passed on file.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 720—An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes.

On motion of Senator Hurley, Senate Bill No. 720 was passed on file.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 507 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Gates, E. J. Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act.

On motion of Senator McDonald, Senate Bill No. 143 was passed on file.

UNFINISHED BUSINESS.

Senator Hart asked for and was granted unanimous consent to take up Senate Bill No. 712.

Senate Bill No. 712—An act to amend sections 392, 393 and 395 of the Code of Civil Procedure, all relating to the place of trial of civil actions.

AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED TWELVE.

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out the comma therein and insert in lieu thereof the word "and".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title after the word "ninety-five" strike out the words "and three hundred ninety-seven".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 712?"

The roll was called, and Assembly amendments to Senate Bill No. 712 concurred in by the following vote:

AYES—Senators Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Senate Bill No. 712 ordered to enrollment.

UNFINISHED BUSINESS.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Bill No. 41.

Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FORTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the words "or more".

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, strike out the word "such".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the word "township" and insert in lieu thereof the word "county".

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the amended bill, strike out the word "record" and insert in lieu thereof the word "transcribe".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the amended bill, strike out the word "recording" and insert in lieu thereof the word "transcribing".

AMENDMENT NUMBER SIX.

On page 1, line 26, of the amended bill, strike out the word "unrecorded" and insert in lieu thereof the word "untranscribed".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 41?"

The roll was called, and Assembly amendments to Senate Bill No. 41 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Bill No. 41 ordered to enrollment.

UNFINISHED BUSINESS.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Bill No. 40.

Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled "An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FORTY.

AMENDMENT NUMBER ONE.

In lines 12 and 13 of the title of the printed bill, strike out the following: "fifth day of March, one thousand nine hundred one," and in lieu thereof insert the following: "5th day of March, 1901,".

AMENDMENT NUMBER TWO.

Strike out all of line 14 of the title of the printed bill following the word "June", and all of lines 15 to 21, both inclusive, and in lieu thereof insert the following: "6th, 1913, as amended."

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the word "fifth" and in lieu thereof insert the following: "5th".

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, strike out the word "city".

AMENDMENT NUMBER FIVE.

On page 3, line 37, of the printed bill, strike out the word "deputies" and in lieu thereof insert the words "deputy clerks".

AMENDMENT NUMBER SIX.

On page 4, line 1, of the printed bill, strike out the word "said" and in lieu thereof insert the word "the".

AMENDMENT NUMBER SEVEN.

On page 4, line 4, of the printed bill, strike out the word "custodian" and in lieu thereof insert the word "custodians".

AMENDMENT NUMBER EIGHT.

On page 4, line 12, of the printed bill, after the word "minute" insert the word "entry".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 40?"

The roll was called, and Assembly amendments to Senate Bill No. 40 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Senate Bill No. 40 ordered to enrollment.

UNFINISHED BUSINESS.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Bill No. 539.

Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED THIRTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, after the period (.) insert the following: "The secretary of state shall issue and file in his office a duplicate of the certificate hereinabove provided for and copies thereof, duly certified by the secretary of state, shall have the same force and effect in evidence as the original."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 539?"

The roll was called, and Assembly amendment to Senate Bill No. 539 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Senate Bill No. 539 ordered to enrollment.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(RESUMED).

Senate Bill No. 560—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 560 passed by the following vote:

AYES—Senators Allen, Breed, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—25.

NOES—Senators Burnett, Canepa, Carr, Crowley, Gates, Dr., Gates, E. J., Johnson, M. B., Murphy, Nelson, and Osborne—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 179 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Assembly Bill No. 336 passed on file.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization dis-

tricts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 259 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 564 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32a, relating to the issuing of funding or refunding bonds of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 568 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 563 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram

Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32*b*, relating to the creation of an irrigation district bond security fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 579 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 631 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 628 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 693—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act;

Also: Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California: to authorize promotion and development of the goat industry in California: to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products: to provide for the issuing of permits and the collection of fees therefor: to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof; And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 585—An act to provide additional land and buildings for use in connection with the department of agriculture of the University of California at Berkeley and making an appropriation therefor;

Also: Senate Bill No. 584—An act making an appropriation for improvements, including repairs and equipment at the University of California; And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State: creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 447—An act creating the Peninsula Development District, comprising the city and county of San Francisco and San Mateo County, conferring certain powers thereon and providing for the exercise thereof—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 613—An act declaring property used in conducting lotteries, or for any purpose connected therewith, a nuisance, and providing for the abatement thereof;

Also: Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921;

Also: Senate Bill No. 627—An act to provide for the survey and construction of a State highway from Governor's Camp, in the California Redwood Park, to the coast road at the point where said coast road crosses the divide between Waddell Creek and Scott Creek, and making an appropriation therefor;

Also: Senate Bill No. 100—An act appropriating money to pay the claim of Williard H. Stimson and Son;

Also: Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California;

Also: Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 206—An act making an appropriation to pay the claim of Geo. A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California;

Also: Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California;

Also: Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California;

Also: Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated;

Also: Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs;

Also: Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture;

Also: Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California;

Also: Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer;

Also: Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor;

Also: Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and

to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924.

Also: Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir Trail" and laterals therefrom;

Also: Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano;

Also: Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years;

Also: Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles;

Also: Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego;

Also: Senate Bill No. 406—An act appropriating five hundred dollars for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California;

Also: Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis;

Also: Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office;

Also: Senate Bill No. 370—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County;

Also: Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund;

Also: Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts;
And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Concurrent Resolution No. 25—Approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the first day of May, 1923;

Also: Senate Joint Resolution No. 9—Relative to narcotics;

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Assembly Bill No. 1118 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bill No. 142 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654d, relating to cooperative business corporations or associations;

Also: Assembly Bill No. 488—An act to amend section 19r12 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class;

Also: Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

SWING, Chairman.
LYON.
WEST.
HANDY.
POWERS.
SLATER.
SHARKEY.

Assembly Bills Nos. 117, 490 and 1096 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 214—An act to amend section 626i of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back as amended, and recommends that it do pass as amended.

(Signed out)

ROMINGER, Chairman.
HART.
GRAY.
CANEPA.
BREED.
HANDY.
GATES, DR.
GATES, E. J.
CREIGHTON.
INMAN.
CROWLEY.
HURLEY.
SHARKEY.

Senate Bill No. 214—An act to amend section 626i of the Penal Code, relating to the protection of game.

Senate Bill No. 214 ordered to second reading.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out the letter "I" following the words twenty-six, and insert in lieu thereof the letter "E".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert in lieu thereof the following:

"626c. Every person who hunts, pursues, takes, kills or destroys or has in his possession any antelope or mountain sheep, or any female deer, spotted fawn or spike buck, or in fish and game district one and three-fourths, any forked horn mule deer, is guilty of a misdemeanor.

2. Every person taking or killing any deer must retain in his possession during the open season and for ten days after the close of the open season the skin and portion of the head bearing the horns and must produce this upon the demand of any officer authorized to enforce the fish and game law. Any person failing to comply with the provisions of this section is guilty of a misdemeanor.

3. For the purpose of this act any male deer with unbranched horns or antlers on either side shall be considered a spiked buck, and any male deer with forked horns on both sides shall be considered a forked horn buck."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 9—Relative to narcotics—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5.

EDEN, Chairman.

Senate Joint Resolution No. 9 ordered on file.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the state board for vocational education to cooperate with the federal board for vocational education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill strike out lines 51 and 52, and on page 4 of the printed bill strike out lines 1 to 6, both inclusive, and in lieu thereof insert the following:

"Sec. 7. For each of the two successive fiscal years beginning July 1, 1923, the sum of thirty-five thousand dollars is hereby annually appropriated out of any monies in the state treasury not otherwise appropriated, to be used in whole or in part by the State Board of Education to match equally the funds allotted to the State of California by the government of the United States for the promotion of vocational rehabilitation; *provided, however*, that such appropriation shall be dependent upon an appropriation for the same purpose by the government of the United States."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure relating to undertaking on appeal in justice's court;

Also: Assembly Bill No. 405—An act to amend sections 1193 and 1227 of the Penal Code, relating to judgments against persons convicted of the commission of crime;

Also: Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors;

Also: Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays;

Also: Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by co-owners;

Also: Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Bill No. 206 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 405 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 491 read first time, and referred to Committee on County Government.

Assembly Bill No. 774 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1330 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1344 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments;

Also: Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools;

Also: Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of rape or carnal abuse of females under the age of ten years;

Also: Assembly Bill No. 557—An act to add a new section to the Code of Civil Procedure, to be numbered 359a, relating to the time within which actions must be commenced against directors and stockholders of corporation;

Also: Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Assembly Bill No. 821 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 596 read first time, and referred to Committee on Education.

Assembly Bill No. 828 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 557 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 853 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 3—An act to add a new section to the Civil Code to be numbered 3051a, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said Code;

Also: Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates;

Also: Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended;

Also: Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirtieth class;

Also: Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 3 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 53 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 422 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 497 read first time, and referred to Committee on County Government.

Assembly Bill No. 509 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume;

Also: Assembly Bill No. 129—An act to amend an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5a and 5b, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1353 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 129 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts;

Also: Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the Partnership Law of the State of California uniform with the law of other states;

Also: Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording;

Also: Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1021 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1312 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1348 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1342 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921;

Also: Assembly Bill No. 117—An act to amend section 4269 of the Political Code relating to salaries, fees and expenses of officers in counties of the fortieth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 779 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 117 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof;

Also: Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the Veterans' Welfare Fund for land settlement under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits;

Also: Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the Veterans' Farm and Home Building Fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits;

Also: Assembly Bill No. 1130—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets;

Also: Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1365 read first time, and referred to Committee on Elections.

Assembly Bill No. 1363 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 1362 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 1136 read first time, and referred to Committee on Education.

Assembly Bill No. 1096 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Constitutional Amendment No. 30 read and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as case of urgency Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Assembly Bill No. 1346 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 178 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California to amend section 36, article IV of the constitution of said State, relating to State highways; bridge and highway districts, construction of bridges and highways, the charging and collection of tolls, the application of moneys collected, and the conferring of the powers granted to districts heretofore formed pursuant to legislative authority.

ARTHUR A. OILNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Constitutional Amendment No. 50 read, and referred to Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read third time.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 499 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Slater, and Swing—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 796—An act to amend section 4300a of the Political Code, relating to the fees of the county clerk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 796 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Handy, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Powers, Slater, and Swing—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CARR IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Carr of the thirteenth district was called to the chair.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

Assembly Bill No. 1293 passed on file.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

Assembly Bill No. 749 passed on file.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Assembly Bill No. 13 passed on file.

Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 807 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Crowley, Dennett, Eden, Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Powers, Sample, Slater, and Swing—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 21 adopted by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—28.

NOES—None.

Assembly Concurrent Resolution No. 21 ordered transmitted to the Assembly.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Assembly Bill No. 229 passed on file.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Assembly Bill No. 74 passed on file.

Assembly Bill No. 810—An act to amend sections 2, 3 and 34 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of

children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith." approved May 16, 1919, relating to age and time of employment of certain minors.

Assembly Bill No. 810 passed on file.

Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764*c*, relating to powers and duties of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 388 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 723 passed by the following vote:

AYES—Senators Allen, Canepa, Carr, Creighton, Crowley, Dennett, Godsil, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 366—An act to repeal chapter 210, Statutes of 1893, chapter 99, Statutes of 1897, chapter 321, Statutes of 1909, chapter 477, Statutes of 1921, and sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 366 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code relating to the selling or leasing of school property unoccupied by any public school; to add a new section to the Political Code to be numbered 1617½ relating to the selling or leasing of any real property upon which no public school is being maintained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 434 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1163—An act to amend section 12 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof" approved April 16, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1163 passed by the following vote:

AYES—Senators Allen, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Gray, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Assembly Bill No. 471 passed on file.

Assembly Bill No. 472—An act to amend section 1588 of the Political Code relating to the appointment and election of union and joint union elementary school trustees.

Assembly Bill No. 472 passed on file.

Assembly Bill No. 473—An act to amend sections 1589, 1589a, 1590, 1591, 1591a of the Political Code, and to repeal section 1589b of the Political Code, relating to union elementary school districts.

Assembly Bill No. 473 passed on file.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919.

Assembly Bill No. 289 passed on file.

Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 744 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, and Slater—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the Government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended.

Assembly Bill No. 1080 passed on file.

Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633e, concerning the appointment by insurance companies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1270 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sharkey, and Slater—27.

NOES—None.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Hurley gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1270 was passed.

Assembly Bill No. 1116—An act to amend section 633b, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties

of the Insurance Commissioner in relation thereto, and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

Assembly Bill No. 1116 passed on file.

Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation.

Assembly Bill No. 260 passed on file.

Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 354 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B. Johnson, M. B. Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 80 to Senator Murphy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 46 to 52, both inclusive, and on page 6 of the printed bill strike out lines 1 to 3, both inclusive, and in lieu thereof insert the following:

"16. The county traffic officer, two thousand four hundred dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the county traffic officer such deputies as may be necessary to carry on the work of his office; said deputies shall be appointed by said county traffic officer and shall each receive a salary of six dollars per day, when in the actual performance of his duties, to be paid out of the same fund as the salary of the county traffic officer is paid; provided that the aggregate compensation to be paid all of such deputies shall not exceed three thousand six hundred dollars in any one year."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 89, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Sharkey, adopted.
Bill ordered to print.

Assembly Bill No. 1051--An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Sharkey moved to refer Assembly Bill No. 1051 to Senator Boggs as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, as amended April 16, 1923, strike out the words "perishable or semiperishable".

AMENDMENT NUMBER TWO.

On page 2, line 32, of the printed bill, as amended April 16, 1923, strike out the word "or" following the word "horticultural" and insert in lieu thereof a comma.

AMENDMENT NUMBER THREE.

On page 2, line 32, of the printed bill, as amended April 16, 1923, strike out the word "or" following the word "products" and insert in lieu thereof the following: a comma and the words "dairy or other farm products or".

AMENDMENT NUMBER FOUR.

On page 2, line 34, of the printed bill, as amended April 16, 1923, strike out the words "local assembling" and insert in lieu thereof the word "shipping".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended April 16, 1923, strike out all of lines 36, 37, 38 and 39.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1051, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey, adopted.
Bill ordered to print.

EXPLANATIONS OF VOTES.

Explanation of Senator Ed. P. Sample of his vote on Assembly Bill No. 999, on final passage in the Senate on May 3, 1923.

I voted "aye" on the passage of Assembly Bill No. 999 in the Senate, on May 3, 1923, for the reason that, owing to the lateness of the session, I did not wish to postpone the passage of the same in the Senate and thereby delay its reaching the Governor for his consideration.

I regarded amendments increasing appropriations placed in the bill in the Assembly merely as suggestions made to the Governor for his consideration and, in the event that he did not approve the increases so placed in the bill, I intended to support the bill as amended by the Governor and accept his recommendations when the bill is returned to the Assembly by him.

SAMPLE.

Also:

Explanation of Senator Lester G. Burnett of his vote on Assembly Bill No. 999, on final passage in the Senate on May 3, 1923.

I voted "aye" on the passage of Assembly Bill No. 999 in the Senate, on May 3, 1923, for the reason that, owing to the lateness of the session, I did not wish to postpone the passage of the same in the Senate and thereby delay its reaching the Governor for his consideration.

I regarded amendments increasing appropriations placed in the bill in the Assembly merely as suggestions made to the Governor for his consideration and, in the event that he did not approve the increases so placed in the bill, I intended to support the bill as amended by the Governor and accept his recommendations when the bill is returned to the Assembly by him.

BURNETT.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

MOTION TO RECONSIDER.

Pursuant to his notice given on the previous day, Senator Dennett moved to reconsider the vote whereby Senate Bill No. 417 was refused passage.

The question being on the motion to reconsider.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Dennett moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Beggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gadsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Reaminger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

The Secretary announced the absentees.

Time, three o'clock and fifty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (OUT OF ORDER).

Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 721 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Crowley, Eden, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, and Slater—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 733 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

Senator Swing moved to amend Senate Constitutional Amendment No. 23 as follows:

AMENDMENT NUMBER ONE.

In line 3 of the title, add the letter "s" to the word "section".

AMENDMENT NUMBER TWO.

In line 3 of the title, after the word "twenty-three" insert the words "and twenty-three a".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out all of the bill after the period following the word "mils" and insert in lieu thereof the following:

"SEC. 23a. The legislature may provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of three hundred dollars per day for either house, at any regular or biennial session, nor the sum of two hundred dollars per day for both houses at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed. The legislature shall provide for the selection of all officers, employees and attaches of both houses and so far as advisable shall require such selection to be under the provisions of the law governing civil service."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Crowley and Osborne, upon the adoption of the amendments. Whereupon the Secretary was directed to call the roll.

The roll was called, and the committee amendments adopted by the following vote:

AYES—Senators Allen, Boggs, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—24.

NOES—Senators Breed, Burnett, Canepa, Carr, Chamberlin, Crowley, Gates, E. J., Gray, Hart, Inman, Johnson, A. B., Jones, Lyon, Rominger, and West—15.

Constitutional amendment read and ordered to print, engrossment, and on file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Dennett.

The Secretary was directed to call the roll on the motion to reconsider the vote whereby Senate Bill No. 417 was refused passage.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 417 was refused passage was granted by the following vote:

AYES—Senators Canepa, Creighton, Crowley, Dennett, Eden, Godsil, Harris, Hughes, Inman, Johnson, M. B., Jones, McDonald, Murphy, Osborne, Rominger, Rusa, Sample, Sharkey, Slater, Swing, and West—21.

NOES—Senators Allen, Boggs, Breed, Burnett, Cair, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Lewis, Nelson, and Powers—16.

Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 743 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rusa, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor

vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 744 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Slater, Swing, and West—28.
NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 127 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—33.
NAYS—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

RE-REFERENCE OF BILL.

On motion of Senator Johnson, A. B., Senate Bill No. 48 was re-referred to Committee on Reapportionment.

MOTION TO RESCIND.

Senator Crowley moved to rescind the action of the Senate by which it granted postponement of reconsideration of Assembly Bill No. 1334.

Motion carried.

Assembly Bill No. 1334 ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 25—Relative to "Approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles

at a special municipal election held therein on the first of May, 1923"—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

CARR, Chairman.
ALLEN.
HURLEY.
LEWIS.
LYON.
CHAMBERLIN.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 25 at this time for the purpose of adoption.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 25 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—37.

NOES—None.

Senate Concurrent Resolution No. 25 ordered transmitted to the Assembly.

ADJOURNMENT.

At four o'clock and forty-five minutes p.m., on motion of Senator Breed, Senator Carr declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, May 9, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, May 8, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Gladys Footman Hartwell and Miss Ida Rinn of Lodi Union School and the following pupils:

Violet Wardrobe, Aileen Dayton, M. Declusin, H. Gillette, M. Hale, A. Kobes, R. Asay, H. Blewett, Hurd, Hutchins, K. O'Neil, R. Bechthold, E. Bender, B. Gray, M. Hodgson, L. Irey, H. Maley, H. Mason, T. McCoy, Obert, C. Quessenberry, C. Rende, H. Schutte, Harlan Smith, G. Walling, Helen Lange, Struebbe, A. Thomas, B. Closson, I. Warren, B. Dotson, R. D. Lee, R. Arthur, A. Mathews, E. Archer, L. Soucie, A. Werner, A. Eklund, A. Hatch, H. Holden, G. Snyder, M. Wall, D. Welch, R. Merrill, E. Beckman, E. Chrestesen, R. Culbertson, F. Hickok, R. Johnson, I. Kenefick, S. Poser, C. Roper, D. Thompson, V. Wardrobe, O. Campbell, C. Folendorf, R. Grussendorf, C. Lowe, G. Oliver, N. Onye, F. Snyder, G. Hohne, M. Nesbit, M. Becker, C. Bull, D. Dyer, C. Moore, J. Stumpf, A. Beyerle, C. Montgomery, and W. Spiekerman.

On request of Senator Arbuckle, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Perry O. Brown of Berkeley.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 9, 1923.

To the Senate of the State of California.

GENTLEMEN: Senate Bill No. 31 is returned herewith without my approval.

This bill was amended in committee and the penalty clause was cut out by mistake. The author has therefore requested me to return the bill without my approval.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, M. B. Lyon, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—26.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith;

Also: Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes; prohibiting the use of secondhand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes; vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect;

Also: Assembly Bill No. 1357—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Also: Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1366 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1359 read first time, and referred to Committee on Manufactures.

Assembly Bill No. 1357 read first time, and referred to Committee on Education.

Assembly Bill No. 789 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1045 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 507 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust;

Also: Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education;

Also: Assembly Bill No. 642—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and stormwater drains and in connection therewith," approved April 21, 1911, as amended;

Also: Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 922 read first time, and referred to committee on Judiciary.

Assembly Bill No. 746 read first time, and referred to Committee on Education.

Assembly Bill No. 640 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 351 read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Assembly Bill No. 853 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the state into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Assembly Bill No. 1227 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 792—An act to amend section 626 of the Penal Code, relating to the shooting from moving boats—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

ROMINGER, Chairman.

Assembly Bill No. 792 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to sections 23 and 23a of article IV of the constitution of the State of California, relating to compensation of members of the Legislature—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

JOHNSON, Chairman.

Assembly Bill No. 897 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to locate, locate, and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

RUSH, Chairman.

Assembly Bill No. 1346 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

HUGHES, Chairman.

Assembly Bill No. 1362 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto;

Also: Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534a, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act, and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921;

Also: Senate Bill No. 391—An act to appropriate money to pay the claim of B. H. Miller against the State of California;

Also: Senate Bill No. 699—An act to provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor;

Also Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district;

Also: Senate Bill No. 567—An act to amend section 453e of the Civil Code, relating to insurance;

Also: Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the first agricultural district;

Also: Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations;

Also: Senate Bill No. 214—An act to amend section 626i of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 737—An act to amend section 694 of the Penal Code, relating to the punishment of attempts to commit crimes;

Also Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the federal board for vocational education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921: And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the state officers in relation thereto; and appropriating the interest received and to be received on said deposits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

HUGHES, Chairman.

Assembly Bill No. 1363 ordered on file for second reading.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

Committee membership—15; committee vote: Ayes—10; absent—5.

INGRAM, Chairman.

Senate Bill No. 48 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER FORTY-EIGHT.

Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended May 7, 1923, strike out all of line 1 following the period, all of lines 2 to 23, inclusive, and pages 2, 3, 4, and 5, and insert in lieu thereof the following: "Section seventy-eight of the Political Code is hereby amended to read as follows:

78. The state is divided into forty senatorial districts, which shall be designated and constituted as follows:

1. The counties of Del Norte, Humboldt, Trinity and Mendocino shall constitute the first senatorial district.

2. The counties of Siskiyou, Shasta, Modoc, Lassen, Plumas and Sierra shall constitute the second senatorial district.

3. The counties of Nevada, Placer, El Dorado, Alpine, Amador, Calaveras, Tuolumne, Mariposa and Mono shall constitute the third senatorial district.

4. The counties of Butte, Tehama, Glenn and Yuba shall constitute the fourth senatorial district.

5. The counties of Solano, Yolo, Colusa and Sutter shall constitute the fifth senatorial district.

6. The counties of Sonoma, Napa and Lake shall constitute the sixth senatorial district.

7. The county of Sacramento shall constitute the seventh senatorial district.

8. The county of San Joaquin shall constitute the eighth senatorial district.

9. The counties of Contra Costa and Marin shall constitute the ninth senatorial district.

10. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the line dividing Oakland and Brooklyn townships intersects the northeasterly boundary line of the county of Alameda; thence southwestwardly along said dividing line to the northeasterly boundary line of the city of Piedmont, thence southeasterly and southerly following the northern and eastern boundary line of the city of Piedmont to the southeasterly corner thereof; thence southwestwardly along Thirteenth avenue to the center line of Fourteenth avenue; thence southerly along the center line of Fourteenth avenue to the center line of Lincoln street; thence easterly along the center line of Lincoln or East Thirty-first street to the center line of Twenty-third avenue; thence southerly along the center line of Twenty-third avenue to the center line of Sherman street, otherwise known as the old County road; thence easterly along said old County road to the center line of High street; thence easterly along center line of the Foothill road, or County road No. 3358, to the center line of Grand, or Ninetieth avenue; thence southwestwardly along said line of Ninetieth avenue, crossing East Fourteenth street to the center line of B, or Second street; thence easterly along said B street to the center line of Jones or Ninety-eighth avenue; thence southerly along the center line of Jones, or Ninety-eighth avenue, to the center line of County road No. 1995; thence southerly along center line of County road No. 1995 to the line dividing Brooklyn and Eden townships; thence westerly along said township line to the line dividing Brooklyn and Alameda townships; thence southerly and westerly along the boundary line of Alameda township to the westerly boundary line of Alameda county; thence southerly along said westerly boundary line to its intersection with the northerly boundary line of Santa Clara county; thence easterly along the boundary line dividing Alameda and Santa Clara counties to a point which is the intersection of the boundary lines of the counties of Alameda, Santa Clara, Stanislaus and San Joaquin; thence northwestwardly and northerly along the boundary line between the counties of Alameda and San Joaquin to a point where the boundary line dividing the counties of Alameda and Contra Costa intersects the westerly boundary line of the county of San Joaquin; thence in a southwestwardly and northwesterly direction along the boundary line between the counties of Alameda and Contra Costa to the point of beginning, shall constitute the tenth senatorial district.

11. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the westerly boundary line of the county of Alameda is intersected by the line dividing Oakland and Alameda townships; thence easterly along said dividing line to a point in Oakland harbor where said line is intersected by the line dividing Oakland and Brooklyn townships; thence northerly along the westerly boundary line of Brooklyn township, passing through the easterly arm of Lake Merritt and up Indian Gulch to the northwestwardly boundary line of East Oakland Heights; thence southeasterly along said last boundary line to the center of Thirteenth avenue; thence northeastwardly along center line of Thirteenth avenue, or County road to Moraga valley, to the center line of Fourteenth avenue; thence southerly along the center line of Fourteenth avenue to the center line of Lincoln street; thence easterly along the center line of Lincoln, or East Thirty-first street, to the center line of Twenty-third avenue; thence southerly along the center line of Twenty-third avenue to the center line of Sherman street, otherwise known as old County road; thence easterly along said old County road to the center line of High street; thence along the center line of Foothill road, or County road No. 3358, to the center line of Grand, or Ninetieth avenue; thence southerly along said line of Ninetieth avenue, crossing East Fourteenth street to B, or Second street; thence easterly along said B street to the center line of Jones, or Ninety-eighth avenue; thence southerly along the center line of Jones, or Ninety-eighth avenue, to the center line of County road No. 1995; thence southerly along center line of County road No. 1995 to the line dividing Brooklyn and Eden townships; thence westerly along said township line to the line dividing Brooklyn and Alameda townships; thence southerly and westerly along the boundary line of Alameda township to the westerly boundary line of Alameda county; thence northwestwardly along the westerly county boundary line to the southerly boundary line of Oakland township and the point of beginning, shall constitute the eleventh senatorial district.

12. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the northern boundary line of the city of Berkeley intersects the northeasterly boundary line of the county of Alameda; thence westerly along said northern boundary line of the city of Berkeley to a point where the same is coincident with the center line of Eunice street; thence westerly along the center line of Eunice street to the center line of Milvia street; thence southerly along the

center line of Milvia street to the center line of Adeline street; thence southerly along the center line of Adeline street to the northerly boundary line of the town of Emeryville; thence easterly, southerly and westerly following the boundary line of the town of Emeryville to the center line of San Pablo avenue; thence southerly along the center line of San Pablo avenue to the center line of Broadway; thence southerly along the center line of Broadway to the northern boundary line of Alameda township; thence easterly along the northern boundary line of Alameda township to the westerly line of Brooklyn township, the same being a point in Oakland harbor; thence northerly along the westerly boundary line of Brooklyn township, passing through the easterly arm of Lake Merritt and up Indian Gulch to the northeasterly boundary line of East Oakland Heights; thence southeasterly along last said boundary line to the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue, or County road to Moraga valley, to the southeastern corner of the city of Piedmont; thence northerly and westerly following the easterly and northerly boundary lines of the city of Piedmont to the line dividing Brooklyn and Oakland townships; thence northeasterly along the last said township line to the boundary line of Alameda county; thence northwesterly along the county boundary line to the point of beginning, shall constitute the twelfth senatorial district.

13. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the northerly boundary line of the city of Berkeley intersects the northeasterly boundary line of the county of Alameda; thence westerly along said northern boundary line of the city of Berkeley to a point where the same is coincident with the center line of Eunice street; thence westerly along the center line of Eunice street to the center line of Milvia street; thence southerly along the center line of Milvia street to the center line of Adeline street; thence southerly along the center line of Adeline street to the northerly boundary line of the town of Emeryville; thence easterly, southerly and westerly, following the boundary line of the town of Emeryville to the center line of San Pablo avenue; thence southerly along the center line of San Pablo avenue to the center line of Broadway; thence southerly along the center line of Broadway to the northern boundary line of Alameda township; thence westerly along the line dividing Alameda and Oakland townships to the western boundary line of the county of Alameda; thence northerly along the said county boundary line to the northern boundary line of the county of Alameda; thence easterly following the northern boundary line of the county of Alameda to the point of beginning, shall constitute the thirteenth senatorial district.

14. All that portion of the city and county of San Francisco embraced within and comprising the twenty-seventh and twenty-eighth assembly districts as designated and constituted by section 90 of this code, shall constitute the fourteenth senatorial district.

15. All that portion of the city and county of San Francisco embraced within and comprising the thirtieth and thirty-fourth assembly districts, as designated and constituted by section 90 of this code, shall constitute the fifteenth senatorial district.

16. All that portion of the city and county of San Francisco embraced within and comprising the twenty-fourth and twenty-ninth assembly districts as designated and constituted by section 90 of this code, shall constitute the sixteenth senatorial district.

17. All that portion of the city and county of San Francisco embraced within and comprising the twenty-fifth and twenty-sixth assembly districts, as designated and constituted by section ninety of this code, shall constitute the seventeenth senatorial district.

18. All that portion of the city and county of San Francisco embraced within and comprising the thirty-second and thirty-fifth assembly districts, as designated and constituted by section ninety of this code, shall constitute the eighteenth senatorial district.

19. The counties of San Mateo, Santa Cruz, San Benito and Monterey shall constitute the nineteenth senatorial district.

20. All that portion of the city and county of San Francisco embraced within and comprising the thirty-first and thirty-third assembly districts, as designated and constituted by section ninety of this code, shall constitute the twentieth senatorial district.

21. The county of Santa Clara shall constitute the twenty-first senatorial district.

22. The counties of Stanislaus, Merced and Madera shall constitute the twenty-second senatorial district.

23. The counties of Kings and Tulare shall constitute the twenty-third senatorial district.

24. The county of Fresno shall constitute the twenty-fourth senatorial district.

25. The counties of Santa Barbara and Ventura shall constitute the twenty-fifth senatorial district.

26. The counties of Kern and San Luis Obispo shall constitute the twenty-sixth senatorial district.

27. All that portion of the county of Los Angeles embraced within and comprising the following election precincts as of January 1, 1923, to wit: Los Angeles city precinct numbers six, seven, eight, nine, ten, eleven, thirteen, sixteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, eighty-nine, ninety, ninety-one, ninety-two, two hundred seventy-seven, two hundred seventy-eight, two hundred eighty, two hundred eighty-one, two hundred eighty-two, two hundred eighty-three, two hundred eighty-four, two hundred eighty-five, two hundred eighty-six, two hundred eighty-seven, two hundred eighty-eight, two hundred eighty-nine, two hundred ninety, two hundred ninety-one, two hundred ninety-two, two hundred ninety-three, two hundred ninety-four, two hundred ninety-five, two hundred ninety-six, two hundred ninety-seven, two hundred ninety-eight, seven hundred sixty-one, seven hundred sixty-two, seven hundred sixty-three, seven hundred sixty-four, seven hundred sixty-five, seven hundred sixty-six, seven hundred sixty-seven, seven hundred sixty-eight, seven hundred sixty-nine, seven hundred seventy, seven hundred seventy-one, seven hundred seventy-two, seven hundred seventy-three, seven hundred seventy-four, seven hundred seventy-five, seven hundred seventy-six, seven hundred seventy-seven, seven hundred seventy-eight, seven hundred seventy-nine, seven hundred eighty, seven hundred eighty-one, seven hundred eighty-two, seven hundred eighty-three, seven hundred eighty-four, seven hundred eighty-five, seven hundred eighty-six, seven hundred eighty-seven, seven hundred eighty-eight, seven hundred eighty-nine, seven hundred ninety, seven hundred ninety-one, seven hundred ninety-two, seven hundred ninety-three, seven hundred ninety-four, seven hundred ninety-five, seven hundred ninety-six, seven hundred ninety-seven, seven hundred ninety-eight, seven hundred ninety-nine, eight hundred, eight hundred one, eight hundred two, eight hundred three, eight hundred four, and eight hundred five shall constitute the twenty-seventh senatorial district.

28. All that portion of the county of Los Angeles embraced within and comprising the fifty-second and fifty-sixth assembly districts as designated and constituted by section ninety of this code and all that portion of said county included within and comprising the following election precincts as of January 1, 1923, to wit: Nithsdale, Annandale numbers one, two and three, and Los Angeles city precincts numbers eight hundred six, eight hundred seven, eight hundred eight, eight hundred nine, eight hundred ten, eight hundred eleven, eight hundred twelve, eight hundred thirteen, eight hundred fourteen, eight hundred fifteen, eight hundred sixteen, eight hundred seventeen, eight hundred eighteen, eight hundred nineteen, eight hundred twenty, eight hundred twenty-one, eight hundred twenty-two, eight hundred twenty-three, eight hundred twenty-four, eight hundred twenty-five, eight hundred twenty-six, eight hundred twenty-seven, eight hundred twenty-eight, eight hundred twenty-nine, eight hundred thirty, eight hundred thirty-one, eight hundred thirty-two, eight hundred thirty-three, and eight hundred thirty-four shall constitute the twenty-eighth senatorial district.

29. All that portion of the county of Los Angeles embraced within and comprising the fifty-seventh and fifty-ninth assembly districts as designated and constituted by section ninety of this code and all that portion of said county included within and comprising the following election precincts as of January 1, 1923, to wit: Belvedere numbers one, two, three, four and five, and Los Angeles city precincts numbers three, four, five, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, and fifty shall constitute the twenty-ninth senatorial district.

30. All that portion of the county of Los Angeles embraced within and comprising the fifty-third and sixty-ninth assembly districts as designated and constituted by section ninety of this code shall constitute the thirtieth senatorial district.

31. All that portion of the county of Los Angeles embraced within and comprising the sixty-fourth and sixty-eighth assembly districts as designated and constituted by section ninety of this code shall constitute the thirty-first senatorial district.

32. All that portion of the county of Los Angeles embraced within and comprising the sixty-third assembly district as designated and constituted by section ninety of this code and all that portion of said county included within and comprising the following election precincts as of January 1, 1923, to wit: Los Angeles city precincts numbers three hundred forty-six, three hundred forty-seven, three hundred forty-eight, three hundred forty-nine, three hundred fifty, three hundred fifty-one, three hundred fifty-two, three hundred fifty-three, three hundred fifty-four, three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven, three hundred fifty-eight, three hundred fifty-nine, three hundred sixty, three hundred sixty-one, three hundred sixty-two, three hundred sixty-three, three hundred sixty-four, three hundred sixty-five, three hundred sixty-six, three hundred sixty-seven, three hundred sixty-eight, three hundred sixty-nine, three hundred seventy, three hundred seventy-one, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five, four hundred one, four hundred two, four hundred three, four hundred four, four hundred

five, four hundred six, four hundred seven, four hundred eight, four hundred nine, four hundred ten, four hundred eleven, four hundred twelve, four hundred thirteen, four hundred fourteen, four hundred fifteen, four hundred sixteen, four hundred seventeen, four hundred eighteen, four hundred nineteen, four hundred twenty, four hundred twenty-one, four hundred twenty-two, four hundred twenty-three, four hundred twenty-four, four hundred twenty-five, four hundred twenty-six, four hundred twenty-seven, four hundred sixty-six, four hundred sixty-seven, seven hundred fifty-eight, and seven hundred sixty shall constitute the thirty-second senatorial district.

33. All that portion of the county of Los Angeles embraced within and comprising the fifty-eighth and seventy-second assembly districts as designated and constituted by section ninety of this code shall constitute the thirty-third senatorial district.

34. All that portion of the county of Los Angeles embraced within and comprising the sixty-sixth assembly district as designated and constituted by section ninety of this code and also all that portion of said county bounded as follows: Beginning at the intersection of the center lines of Eleventh street and Hoover street in the city of Los Angeles, thence along the center line of the following named streets, to wit: Hoover street to Jefferson street, Jefferson street to Grand avenue, Grand avenue to Twenty-first street, Twenty-first street to Central avenue, Central avenue to Vernon avenue, Vernon avenue to the easterly boundary line of the city of Los Angeles, thence in a northerly direction along said boundary line to the southerly charter boundary line of the city of Los Angeles where the same intersects with the center line of Alameda street, Alameda street to Fifteenth street, Fifteenth street to Central avenue, Central avenue to Pico street, Pico street to San Pedro street, San Pedro street to Eleventh street, Eleventh street to Hoover street, the place of beginning, shall constitute the thirty-fourth senatorial district.

35. All that portion of the county of Los Angeles bounded as follows: Beginning at the intersection of the center lines of Eleventh street and Hoover street in the city of Los Angeles, thence along the center line of the following named streets, to wit: Hoover street to Tenth street, Tenth street to Vermont avenue, Vermont avenue to Temple street, Temple street to Virgil street, Virgil street to Temple street, Temple street to Edgeware road, Edgeware road to Marion avenue, Marion avenue to Sunset boulevard, Sunset boulevard to Hill street, Hill street to Seventh street, Seventh street to Main street, Main street to Eleventh street, Eleventh street to Hoover street, the place of beginning, shall constitute the thirty-fifth senatorial district.

36. All that portion of the county of Los Angeles embraced within and comprising the seventieth and seventy-first assembly districts as designated and constituted by section ninety of this code shall constitute the thirty-sixth senatorial district.

37. The county of Orange shall constitute the thirty-seventh senatorial district.

38. The counties of San Bernardino and Inyo shall constitute the thirty-eighth senatorial district.

39. The counties of Riverside and Imperial shall constitute the thirty-ninth senatorial district.

40. The county of San Diego shall constitute the fortieth senatorial district.

SEC. 2. Section ninety of the Political Code is hereby amended to read as follows:

90. The state is hereby divided into eighty assembly districts, respectively numbered and constituted as follows:

1. The counties of Siskiyou, Shasta, Modoc and Lassen shall constitute the first assembly district.

2. The counties of Del Norte, Humboldt and Trinity shall constitute the second assembly district.

3. The counties of Mendocino and Lake shall constitute the third assembly district.

4. The counties of Tehama, Glenn, Colusa and Sutter shall constitute the fourth assembly district.

5. The counties of Butte and Plumas shall constitute the fifth assembly district.

6. The counties of Sierra, Yuba, Nevada and Placer shall constitute the sixth assembly district.

7. All that portion of the county of Sacramento, composed of that part of the city of Sacramento, lying north of the center of K street, and east of the center of Thirty-first street, and all that portion of said Sacramento county included within the boundaries of "American township," "Brighton township," "Center township," "Granite township," "Mississippi township," "Natoma township," and "Sutter township," as said townships existed on the first day of January, 1923, shall constitute the seventh assembly district.

8. All that portion of the county of Sacramento not included in the seventh assembly district shall constitute the eighth assembly district.

9. The counties of Napa and Yolo shall constitute the ninth assembly district.

10. The county of Sonoma shall constitute the tenth assembly district.

11. The county of Marin shall constitute the eleventh assembly district.

12. The county of Solano shall constitute the twelfth assembly district.

13. The county of Contra Costa shall constitute the thirteenth assembly district.

14. All that portion of the county of San Joaquin not included in the fifteenth assembly district shall constitute the fourteenth assembly district.

15. All that portion of the county of San Joaquin comprising the city of Stockton shall constitute the fifteenth assembly district.

16. All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Shattuck avenue is intersected by the center line of Fifty-first street or Vernon street, in the city of Oakland; thence easterly along the center line of Fifty-first or Vernon street to the center line of Broadway; thence northeasterly along the center line of Broadway to its intersection with the northeasterly boundary line of the city of Oakland, as the same existed prior to the annex of one thousand nine hundred nine; thence southeasterly along said boundary line of the city of Oakland as the same existed prior to the annex of one thousand nine hundred nine to its intersection with the northerly boundary line of the city of Piedmont; thence easterly following the northerly boundary line of the city of Piedmont to its intersection with the boundary line dividing Brooklyn and Oakland townships; thence northeasterly along the line dividing Brooklyn and Oakland townships to its intersection with the northeasterly boundary line of Alameda county; thence northwesterly and westerly following along the county boundary line to its intersection with the easterly boundary line of the town of Albany; thence southerly along the easterly boundary line of the town of Albany to its intersection with the center of Codornices creek; thence easterly up the center of the Codornices creek to its intersection with the center line of Milvia street; thence southerly along the center line of Milvia street to the center line of Russell street; thence easterly along the center line of Russell street to the center line of Shattuck avenue; thence southerly along the center line of Shattuck avenue to the center line of Fifty-first or Vernon street and the point of beginning, shall constitute the sixteenth assembly district.

17. All that portion of the county of Alameda lying easterly of a line described as follows: Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to a line dividing Brooklyn and Eden townships; thence easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence northerly and easterly along said boundary line to the center line of East Fourteenth street; thence northwesterly following along the center line of East Fourteenth street to the center line of Moss avenue, in the city of Oakland; thence northeasterly along the center line of Moss avenue and a direct extension of said center line to the northeasterly boundary line of the city of Oakland; thence following the said northeasterly boundary line of the city of Oakland in a northwesterly direction to its intersection with the northeasterly boundary line of the county of Alameda, shall constitute the seventeenth assembly district.

18. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of the county of Alameda; thence in an easterly and northerly direction along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence in an easterly direction along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence northerly and easterly following the said town line to the center line of East Fourteenth street; thence northwesterly following the center line of East Fourteenth street and an extension of the same to its intersection with the line dividing Brooklyn and Oakland townships, said point being in Lake Merritt; thence southwesterly along said township line to its intersection with the northerly boundary line of Alameda township; thence westerly following along the said northerly boundary line of Alameda township to its intersection with the westerly boundary line of Alameda county; thence southeasterly along said county boundary line to the point of beginning, shall constitute the eighteenth assembly district.

19. All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Thirteenth avenue is intersected by the center line of East Fourteenth street, in the city of Oakland; thence northwesterly along the center line of East Fourteenth street and an extension of said center line to a point where the same intersects the westerly boundary line of Brooklyn township, in Lake Merritt; thence northeasterly following along the boundary line between Brooklyn and Oakland townships to the southerly boundary line of the city of Piedmont; thence easterly, northerly and westerly following the said boundary line of the city of Piedmont to the line dividing Oakland and Brooklyn townships; thence northeasterly along said dividing line between Oakland and Brooklyn townships to its intersection with the northeasterly boundary line of the city of Oakland; thence southeasterly following said city boundary line to a point where the same would be intersected by a direct extension northeasterly of the center line of Moss avenue; thence southwesterly along said extension and along the center line of Moss avenue to the center line of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to the center line of Thirteenth avenue and the point of beginning, shall constitute the nineteenth assembly district.

20. All of that portion of the county of Alameda, described as follows, to wit: Beginning at a point where the center line of Broadway is intersected by the center line of Thirteenth street, in the city of Oakland; thence southeasterly along the center line of Thirteenth street and a direct extension of said center line to its intersection with the line dividing Brooklyn and Oakland townships; thence north-

easterly following along the line dividing Brooklyn and Oakland townships to a point in the southerly boundary line of the city of Piedmont; thence easterly, northerly and westerly, following the southern, eastern and northern boundary line of the city of Piedmont to its intersection with the eastern boundary line of the city of Oakland, as the same existed prior to the annex of one thousand nine hundred nine; thence northwesterly along the easterly boundary line of the city of Oakland, as the same existed prior to the annex of one thousand nine hundred nine, to its intersection with the center line of Broadway; thence southerly along the center line of Broadway to the center line of Fifty-first, or Vernon street; thence westerly following along the center line of Fifty-first street to the center line of Shattuck avenue; thence southerly along the center line of Shattuck avenue to the center line of Temescal creek; thence westerly down the center of Temescal creek to the center of Grove street; thence southerly along the center of Grove street to the center of San Pablo avenue; thence southerly along the center of San Pablo avenue to the center of Broadway; thence southerly along the center of Broadway to the center of Thirteenth street, and point of beginning, shall constitute the twentieth assembly district.

21. All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-second street in the city of Oakland; thence easterly along the center line of Twenty-second street to the center line of Grove street; thence southerly along the center line of Grove street to the center line of San Pablo avenue; thence southerly along the center line of San Pablo avenue to the center line of Broadway; thence southerly along the center line of Broadway to the center line of Thirteenth street; thence easterly along the center line of Thirteenth street and a direct extension of said center line to its intersection with the line dividing Brooklyn and Oakland townships; thence southerly along the line dividing Oakland and Brooklyn townships to the line dividing Oakland and Alameda townships; thence westerly along the line dividing Oakland and Alameda townships to a point where a direct extension of the center line of Adeline street would intersect the same; thence northerly along said extension and along the center line of Adeline street to the point of beginning, shall constitute the twenty-first assembly district.

22. All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-second street in the city of Oakland; thence easterly along the center line of Twenty-second street to the center line of Grove street; thence northerly along the center line of Grove street to the center of Temescal creek; thence westerly down the center of Temescal creek to the town of Emeryville; thence westerly and northerly following the boundary line of the town of Emeryville to the southerly boundary line of the city of Berkeley; thence westerly along the southerly boundary line of the city of Berkeley and a direct extension of same to its intersection with the westerly boundary line of Alameda county; thence southerly along the westerly boundary line of Alameda county to its intersection with the line dividing Oakland and Alameda townships; thence easterly along the line dividing Oakland and Alameda townships to a point where a direct extension of the center line of Adeline street would intersect the same; thence northerly along said extension and along the center line of Adeline street to the center line of Twenty-second street and the point of beginning, shall constitute the twenty-second assembly district.

23. All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the easterly boundary line of the town of Emeryville is intersected by the southerly boundary line of the city of Berkeley; thence southerly and easterly along the boundary line of the town of Emeryville to a corner thereof, the same being in the Temescal creek; thence up to the center of Temescal creek to the center line of Shattuck avenue; thence northerly along the center line of Shattuck avenue to the center line of Russell street; thence westerly along the center line of Russell street to the center line of Milvia street; thence northerly along the center line of Milvia street to the center line of Codornices creek; thence westerly down the center line of Codornices creek to the easterly boundary line of the town of Albany; thence northerly along the easterly boundary line of the town of Albany to the northern boundary of the county of Alameda; thence westerly and southerly along the northern and western boundary line of the county of Alameda to a point where said boundary line would be intersected by a direct extension westerly of the southerly boundary line of the city of Berkeley; thence easterly along said extension and along the southerly boundary line of the city of Berkeley to the point of beginning, shall constitute the twenty-third assembly district.

24. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of Market and Jones streets, thence along the lines described as follows: Jones to the waters of the bay of San Francisco, thence easterly and southeasterly along the shore line of said bay to Market street, Market to Jones street, the point of beginning and the islands of the bay of San Francisco within the city and county of San Francisco shall constitute the twenty-fourth assembly district.

25. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of Clay and Jones streets, thence along the lines described as follows: Jones to the waters of the bay of San Francisco, thence westerly along the shore line of said bay to the waters of the Pacific ocean, thence along the shore line of said ocean to Lobos creek; thence along the shore line of said creek easterly to the southerly boundary line of the Presidio reservation, thence along the southerly boundary line of the Presidio reservation to Sixth avenue, Sixth avenue to California street, California street to Van Ness avenue, Van Ness avenue to Clay street, Clay to Jones, the point of beginning, together with the islands known as the Farallone islands shall constitute the twenty-fifth assembly district.

26. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of Fulton street and Ninth avenue thence along the lines described as follows: Ninth avenue to California street, California street to Sixth avenue, Sixth avenue to the southerly boundary line of the Presidio reservation, thence westerly along the southerly boundary line of the Presidio reservation to Lobos creek, thence along the shore line of Lobos creek westerly to the waters of the bay of San Francisco, thence westerly along the shore line of said bay to the shore line of the Pacific ocean, thence along the shore line of said ocean southerly to Fulton street, Fulton street to Sixth avenue the point of beginning shall constitute the twenty-sixth assembly district.

27. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of Fulton and Divisadero streets thence along the center lines of the following named streets: Divisadero to California street, California street to Ninth avenue, Ninth avenue to Fulton street, Fulton to Divisadero the point of beginning shall constitute the twenty-seventh assembly district.

28. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of California and Divisadero streets thence along the center lines of the following named streets: Divisadero street to Duboce avenue, Duboce avenue to Castro street, Castro to Eighteenth, Eighteenth to Valencia, Valencia to Market, Market to Laguna, Laguna to California, California to Divisadero the point of beginning shall constitute the twenty-eighth assembly district.

29. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of California and Laguna streets thence along the center lines of the following named streets: Laguna to Market, Market to Jones, Jones to Clay, Clay to Van Ness avenue, Van Ness avenue to California, California to Laguna the point of beginning shall constitute the twenty-ninth assembly district.

30. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of Market and Valencia streets, thence along lines described as follows: Valencia to Eighteenth, Eighteenth to Harrison, Harrison to Mariposa, Mariposa to the waters of the bay of San Francisco, thence northerly along the shore line of said bay to Market street, Market to Valencia the point of beginning shall constitute the thirtieth assembly district.

31. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of Fulton and Divisadero streets, thence along the center lines of the following named streets: Divisadero street to Duboce avenue, Duboce avenue to Castro street, Castro to Twenty-sixth, Twenty-sixth to Corbett avenue, Corbett avenue to Burnett avenue, Burnett to Palo Alto avenue, Palo Alto avenue to Stanyan street, Stanyan to Fulton, Fulton to Divisadero the point of beginning shall constitute the thirty-first assembly district.

32. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Fulton and Stanyan streets, thence along lines described as follows: Stanyan to Palo Alto avenue, Palo Alto avenue to Burnett avenue, Burnett avenue to Portola drive, Portola drive to Twenty-sixth street, Twenty-sixth street to Hoffman avenue, Hoffman avenue to Thirtieth street, Thirtieth street to Fowler avenue, Fowler avenue to Sussex street, Sussex street to Hamburg, Hamburg to Flood avenue, Flood avenue to Phelan avenue, Phelan avenue to Ocean avenue, Ocean avenue to Ashton avenue, Ashton avenue to Holloway avenue, Holloway avenue to Junipero Serra boulevard, Junipero Serra boulevard to the northerly boundary line of San Mateo county, thence westerly along said boundary line to the waters of the Pacific ocean, thence northerly along the shore line of said ocean to Fulton street, Fulton to Stanyan the point of beginning shall constitute the thirty-second assembly district.

33. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Eighteenth and Castro streets, thence along the center of the following named streets: Castro to Twenty-sixth, Twenty-sixth to Hoffman avenue, Hoffman avenue to Thirtieth street, Thirtieth street to Mission, Mission to Cortland avenue, Cortland avenue to Folsom street, Folsom to Twenty-sixth, Twenty-sixth to Florida, Florida to Mariposa, Mariposa to Harrison, Harrison to Eighteenth, Eighteenth to Castro the point of beginning shall constitute the thirty-third assembly district.

34. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Mariposa and Florida streets, thence along lines described as follows: Florida to Twenty-sixth, Twenty-sixth to Folsom, Folsom to Cortland avenue, Cortland avenue to San Bruno avenue, San Bruno avenue to the northerly boundary line of San Mateo county, thence easterly along the said boundary line of San Mateo county to the waters of the bay of San Francisco, thence northerly along said shore line of the bay of San Francisco to Mariposa street, Mariposa to Florida, the point of beginning, shall constitute the thirty-fourth assembly district.

35. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Thirtieth and Mission streets thence along lines described as follows: Mission to Cortland avenue, Cortland avenue to San Bruno avenue, San Bruno avenue to the northerly boundary line of San Mateo county, thence westerly along the said boundary line of San Mateo county to Junipero Serra boulevard, Junipero Serra boulevard to Holloway avenue, Holloway avenue to Ashton avenue, Ashton avenue to Ocean avenue, Ocean avenue to Phelan avenue, Phelan avenue to Flood avenue, Flood avenue to Hamburg street, Hamburg to Sussex, Sussex to Fowler avenue, Fowler avenue to Thirtieth street, Thirtieth street to Mission the point of beginning shall constitute the thirty-fifth assembly district.

36. The county of San Mateo shall constitute the thirty-sixth assembly district.

37. The counties of Santa Cruz and San Benito shall constitute the thirty-seventh assembly district.

38. All that portion of the county of Santa Clara not included in the thirty-ninth assembly district shall constitute the thirty-eighth assembly district.

39. All that portion of the county of Santa Clara embraced within the following precincts as constituted at the general election in 1910, to wit: Agnew, that part of Alameda precinct lying north of the center line of Park avenue, Alviso, Berryessa, Burbank, that part of Crandalville precinct number one lying outside of the city limits of the city of San Jose, as established in one thousand nine hundred eleven, Cupertino, East San Jose number two, Fremont, Jefferson, Mayfield, Milpitas (numbers one and two), Mountain View (numbers one and two), Mount Hamilton, Orchard, Palo Alto (numbers one to five, inclusive), Purissima, San Jose (numbers one to twelve, inclusive), Santa Clara (numbers one to four, inclusive), Saratoga, Stanford, Stockton, Sunnyvale (numbers one and two), and University (numbers one and two), shall constitute the thirty-ninth assembly district.

40. The county of Stanislaus shall constitute the fortieth assembly district.

41. The counties of El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Mono and Inyo shall constitute the forty-first assembly district.

42. The counties of Merced and Madera shall constitute the forty-second assembly district.

43. The counties of Monterey and San Luis Obispo shall constitute the forty-third assembly district.

44. All that portion of the county of Fresno embraced in the following description shall constitute the forty-third assembly district: Commencing at the northeast corner of section thirty-four, township twelve south, range nineteen east, Mount Diablo meridian; thence in a southerly direction to the center of the right of way of the Southern Pacific railroad; thence southeasterly along the line of the said right of way to the city limits of the city of Fresno; thence in a westerly, southerly and easterly direction along said city limits to a point where said city limits intersect the line of the right of way of the Southern Pacific railroad; thence southeasterly along the line of said Southern Pacific right of way to the city limits of the city of Fowler; thence in an easterly and southerly direction following the line of said city limits to a point where said city limits intersect the line of said right of way of the Southern Pacific railroad; thence southeasterly along the line of said right of way to the city limits of the city of Selma; thence along the line of said city limits in a southerly and easterly direction to a point where said city limits intersect the right of way of the Southern Pacific railroad; thence along said right of way in a southerly direction to the southwest corner of section nine, township sixteen south, range twenty-two east, Mount Diablo meridian; thence east to the southeast corner of section twelve, township sixteen south, range twenty-two east, Mount Diablo meridian; thence south to the boundary line between the county of Fresno and the county of Tulare; thence along the boundary line dividing the county of Fresno from the counties of Tulare, Kings, Monterey, San Benito, Merced and Madera to the point of beginning shall constitute the forty-fourth assembly district.

45. All that portion of the county of Fresno included in and comprising the city of Fresno shall constitute the forty-fifth assembly district.

46. All that portion of the county of Fresno not included in the forty-fourth and forty-fifth assembly districts shall constitute the forty-sixth assembly district.

47. The county of Tulare shall constitute the forty-seventh assembly district.

48. The county of Kings shall constitute the forty-eighth assembly district.

49. The county of Kern shall constitute the forty-ninth assembly district.

50. The county of Santa Barbara shall constitute the fiftieth assembly district.

51. The county of Ventura shall constitute the fifty-first assembly district.

eight hundred eighteen, eight hundred nineteen, eight hundred twenty, eight hundred twenty-one, eight hundred twenty-two, eight hundred twenty-three, eight hundred twenty-four, eight hundred twenty-five, eight hundred twenty-six, eight hundred twenty-seven, eight hundred twenty-eight, eight hundred twenty-nine, eight hundred thirty, eight hundred thirty-one, eight hundred thirty-two, eight hundred thirty-three, eight hundred thirty-four, Nithsdale, Amundale numbers one, two and three, shall constitute the fifty-fifth assembly district.

56. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Linda Vista, Devils Gate, Mount Lowe, Altadena numbers one, two and three, Pasadena City, numbers one, two three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, fifty-four, fifty-five, fifty-six, fifty-seven, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-one and eighty-two shall constitute the fifty-sixth assembly district.

57. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Duarte numbers one and two, Monrovia city numbers one, two, three, four, five, six, seven, eight, nine, and ten, Altadena numbers four, five and six, La Manda numbers one, two and three, Sierra Madre city numbers one, two, three and four, Arcadia city numbers one, two and three, San Marino city, Pasadena city numbers forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-eight, fifty-nine, sixty, eighty-three and eighty-four, South Pasadena city numbers one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen, Alhambra city numbers one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one shall constitute the fifty-seventh assembly district.

58. All that portion of Los Angeles county included within and comprising the following election precincts, as of January 1, 1923, to wit: Spadra numbers one and two, Bonomo city numbers one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-three, Claremont numbers one, two and three, San Dimas numbers one, two and three, Covina numbers one, two, three and four, Rowland numbers one, two, three and four, La Verne numbers one and two, La Verne city numbers one and two, Glendora, Glendora city numbers one, two and three, Charter Oak, Covina city numbers one, two, three and four, Azusa city numbers one, two and three, Azusa, Whittier city numbers one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen, East Whittier numbers one, two and three, shall constitute the fifty-eighth assembly district.

59. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Mira Monte numbers one, two, three, four and five, Huntington Park city numbers one, two, three, four, five, six and seven, Vernon city numbers one and two, Fruitland, Bell numbers one, two, three and four, Middletown, Bandini, Laguna numbers one, two, three, four, five, six, seven, eight and nine, Babbitt numbers one and two, Belvedere numbers six, seven and eight, Midwick, Monterey city numbers one, two, three, four, five and six, Montebello numbers one, two, three, four and five, Rivera numbers one and two, Los Nietos numbers one and two, El Monte numbers one, two and three, El Monte city numbers one and two, San Anita numbers one and two, Baldwin Park numbers one and two, San Gabriel numbers one, two, three and four, San Gabriel city numbers one, two and three, Temple, and Los Angeles city precincts numbers one hundred twenty, one hundred twenty-one, one hundred twenty-two, one hundred twenty-three, six hundred ninety, six hundred ninety-one, six hundred ninety-two and six hundred ninety-three, shall constitute the fifty-ninth assembly district.

60. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Belvedere numbers one, two, three, four and five, and Los Angeles city precincts numbers five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, seven hundred seventy, seven hundred seventy-one, seven hundred seventy-two, seven hundred seventy-three, seven hundred seventy-four, seven hundred seventy-five, seven hundred seventy-six, seven hundred seventy-seven, seven hundred seventy-eight and seven hundred seventy-nine, shall constitute the sixtieth assembly district.

61. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city pre-

dred eighty, five hundred eighty-one, five hundred eighty-two, five hundred eighty-three, five hundred eighty-four, five hundred eighty-five, five hundred eighty-six, five hundred eighty-seven, five hundred eighty-eight, five hundred eighty-nine, five hundred ninety, five hundred ninety-one, five hundred ninety-two, five hundred ninety-three, five hundred ninety-four, five hundred ninety-five, five hundred ninety-six, five hundred ninety-eight, six hundred, six hundred two, six hundred three, six hundred four, six hundred five, six hundred six, six hundred seven, six hundred eight, six hundred nine and six hundred ten shall constitute the sixty-fourth assembly district.

65. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered two hundred two, two hundred three, two hundred four, two hundred five, two hundred six, two hundred seven, two hundred eight, two hundred nine, two hundred ten, two hundred eleven, two hundred twelve, two hundred thirteen, two hundred fourteen, two hundred fifteen, two hundred sixteen, two hundred seventeen, two hundred eighteen, two hundred nineteen, two hundred twenty, two hundred twenty-one, two hundred twenty-two, two hundred twenty-three, two hundred twenty-four, two hundred twenty-five, two hundred twenty-six, two hundred twenty-nine, two hundred thirty, two hundred thirty-one, two hundred thirty-two, two hundred thirty-three, two hundred thirty-four, two hundred thirty-five, two hundred thirty-six, two hundred thirty-seven, two hundred thirty-eight, two hundred thirty-nine, two hundred forty, two hundred forty-one, two hundred forty-two, two hundred forty-three, two hundred forty-four, two hundred forty-five, two hundred forty-six, two hundred forty-seven, two hundred forty-eight, two hundred forty-nine, two hundred fifty-one, two hundred fifty-two, two hundred fifty-three, two hundred fifty-four, two hundred fifty-five, two hundred fifty-six, two hundred fifty-seven, two hundred fifty-eight, two hundred fifty-nine, two hundred sixty, two hundred sixty-one, two hundred sixty-two, two hundred sixty-three, two hundred sixty-four, two hundred sixty-five, two hundred sixty-six, two hundred sixty-seven, two hundred sixty-eight, two hundred sixty-nine, two hundred seventy, two hundred seventy-two, two hundred seventy-three and two hundred seventy-four shall constitute the sixty-fifth assembly district.

66. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered one hundred thirty-three, one hundred thirty-four, one hundred thirty-five, one hundred thirty-six, one hundred thirty-seven, one hundred thirty-eight, one hundred thirty-nine, one hundred forty, one hundred forty-one, one hundred forty-two, one hundred forty-three, one hundred forty-four, one hundred forty-five, one hundred forty-six, one hundred forty-seven, one hundred forty-eight, one hundred forty-nine, one hundred fifty, one hundred fifty-one, one hundred fifty-two, one hundred fifty-three, one hundred fifty-four, one hundred fifty-five, one hundred fifty-six, one hundred fifty-seven, one hundred fifty-eight, one hundred fifty-nine, one hundred sixty, one hundred sixty-one, one hundred sixty-two, one hundred sixty-three, one hundred sixty-four, one hundred sixty-five, one hundred sixty-six, one hundred sixty-seven, one hundred sixty-eight, one hundred sixty-nine, one hundred seventy, one hundred seventy-one, one hundred seventy-two, one hundred seventy-three, one hundred seventy-four, one hundred seventy-five, one hundred seventy-six, one hundred seventy-seven, one hundred seventy-eight, one hundred seventy-nine, one hundred eighty, one hundred eighty-one, one hundred ninety, one hundred ninety-one, one hundred ninety-two, one hundred ninety-three, one hundred ninety-four, one hundred ninety-five, one hundred ninety-six, one hundred ninety-seven, one hundred ninety-eight, one hundred ninety-nine, two hundred, two hundred one, five hundred ninety-seven, five hundred ninety-nine, six hundred one, six hundred twenty, six hundred twenty-one, six hundred twenty-two, six hundred twenty-three, six hundred twenty-four and six hundred twenty-five shall constitute the sixty-sixth assembly district.

67. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-nine, eighty, eighty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, eighty-nine, ninety, ninety-one, ninety-two, ninety-three, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred one, one hundred two, one hundred three, one hundred four, one hundred five, one hundred six, one hundred seven, one hundred eight, one hundred nine, one hundred ten, one hundred eleven, one hundred twelve, one hundred thirteen, one hundred fourteen, one hundred fifteen, one hundred sixteen, one hundred eighteen and one hundred nineteen shall constitute the sixty-seventh assembly district.

68. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered one hundred twenty-nine, one hundred thirty, one hundred thirty-one, one hundred thirty-two, six hundred eleven, six hundred twelve, six hundred thirteen, six hundred fourteen, six hundred fifteen, six hundred sixteen, six hundred seventeen, six hundred eighteen, six hundred nineteen, six hundred twenty-six, six hundred twenty-seven, six hundred twenty eight, six hundred twenty-nine, six hun-

73. All that portion of the county of San Bernardino now comprised within the following townships, to wit: Chino, Ontario, Upland, Cucamonga, Etiwanda, and San Bernardino, shall constitute the seventy-third assembly district.

74. All that portion of the county of San Bernardino not included within the seventy-third assembly district, as fixed and defined in this act, shall constitute the seventy-fourth assembly district.

75. The county of Orange shall constitute the seventy-fifth assembly district.

76. The county of Riverside shall constitute the seventy-sixth assembly district.

77. The county of Imperial shall constitute the seventy-seventh assembly district.

78. All that portion of the county of San Diego included and being within the city of San Diego, and included within the following described boundary lines, to wit:

Beginning at the most northerly point of the pueblo lands of San Diego county as finally confirmed to the president and trustees of the city of San Diego, according to the patent therefor and the map thereof, recorded in book of patents No. 1 at page 190 et seq., in the office of the recorder of San Diego county; being also the most northerly point of said city, and running thence southeasterly along the north-easterly boundary line of the pueblo and city of San Diego, to the southeast corner of pueblo lot one thousand three hundred forty-nine according to map of the pueblo lands of San Diego, San Diego county, California, made by James Pascoe, city engineer, May, 1870, on file in the office of the clerk of the city of San Diego, California; thence westerly along the southerly boundary line of pueblo lots one thousand three hundred forty-nine, one thousand one hundred twenty-seven, one thousand one hundred twenty-six, one thousand one hundred twenty-five and one thousand one hundred twenty-four to the southwest corner of said pueblo lot one thousand one hundred twenty-four; thence southerly along the easterly boundary lines of pueblo lots one thousand one hundred thirty-two, one thousand one hundred thirty-four, and one thousand one hundred forty-five all according to said map of the pueblo lands of San Diego, to an intersection with the east and west center line of Date street, according to map of Horton's addition to San Diego, recorded in the office of the recorder of San Diego county in deed book 13, page 522 et seq.; thence easterly along said center line of Date street produced to an intersection with the northerly projection of the center line of Sixth street according to map of Bay View homestead filed in the office of the recorder of San Diego county, California, January 29, 1873, and numbered 150; thence southerly along the center line of said Sixth street, according to said map of Horton's addition and Bay View homestead and said center line produced to an intersection with the shore line of the bay of San Diego, at the line of ordinary high tide water which is the boundary line of said pueblo and city of San Diego; thence in a general northerly direction along the shore of the bay of San Diego at the line of said ordinary high water tide, the ordinary high water line of the Pacific ocean and the shore line of False bay (otherwise known as Mission bay), the same being the westerly boundary line of said pueblo and city of San Diego, to the place of beginning shall constitute the seventy-eighth assembly district.

79. All that portion of the county of San Diego included within the corporate limits of the city of San Diego and not included within the seventy-eighth assembly district shall constitute the seventy-ninth assembly district.

80. All that portion of the county of San Diego not included within the seventy-eighth and seventy-ninth assembly districts shall constitute the eightieth assembly district.

SEC. 3. Any precinct, or portion of any precinct, not specifically described herein as constituting a portion of either a senatorial or assembly district, shall be attached to and constitute a part of the senatorial or assembly district adjacent thereto and situate within the same county or city and county, having, as shown by the last federal census a less population than any other such district adjacent thereto.

SEC. 4. All other acts in conflict with this act are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

UNFINISHED BUSINESS.

Senator Denmett asked for and was granted unanimous consent to take up Senate Bill No. 481.

Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED EIGHTY-ONE.

AMENDMENT NUMBER ONE.

On page 7 of the printed bill, as amended in the Senate, strike out all of lines 25 and 26, and insert the following:

"18. There is hereby created for counties of this class a traffic officer, who shall receive a salary of two hundred dollars per month, said officer to provide and maintain his equipment and all costs of operating thereof.

The traffic officer shall be allowed not to exceed four deputies. Each of such deputies shall receive a salary of one hundred seventy-five dollars a month, and shall provide and maintain his equipment and all costs of operating the same.

Such traffic officer and his deputies shall be appointed by the board of supervisors, and shall hold office for the period provided by law, *provided, however*, that the board of supervisors shall have authority at any time to remove such officer, or any of said deputies.

This act shall go into effect immediately, and apply to all present incumbents, except as herein expressly provided and excepted."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 481?"

The roll was called, and Assembly amendment to Senate Bill No. 481 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Creighton, Dennett, Eden, Goddill, Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—22.

NOES—None.

Senate Bill No. 481 ordered to enrollment.

CONSIDERATION OF DAILY FILE—SECOND READING OF SENATE BILLS.

Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydrocarbon deposits and providing for the disposition of moneys under said leases, and creating a commission to carry out the provisions of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "governor", insert the following: "of the State of California".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, after the word "hydrocarbons" insert the following: "upon such terms and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out the words "such regulation" and in lieu thereof insert the following: "such rules and regulations".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of line 11 following the word "commission" and all of line 12.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out the words "remaining or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 444 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Carr, Dennett, Eden, Godsil, Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Nelson, Powers, Rominger, Sharkey, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code; and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 446 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Eden, Godsil, Gray, Handy, Hurley, Ingram, Johnson, M. B., Lewis, McDonald, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Creighton, Senate Bill No. 544 was re-referred to Committee on Fish and Game.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 720—An act permitting the use of State property by the organization known as "Disabled American Veterans" for advertising purposes.

On motion of Senator Hurley, Senate Bill No. 720 was passed on file.

Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 118 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 493—An act to amend section 476 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 493 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 692 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California, to authorize the creation of a Bureau of Capriculture in the Department of Agriculture of the State of California; to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 657 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 585—An act appropriating money to be used toward the purchase of land for agricultural laboratory purposes near the grounds of the University of California at Berkeley.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 585 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 584—An act making an appropriation for the support, maintenance and equipment of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 584 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 338 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 367 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 406—An act appropriating five hundred dollars for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—Senators Dennett, and Rominger—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building of the branch of the College of Agriculture of the University of California, at Davis.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 702 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, M. B.,

Lewis, Lyon, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—Senators Dennett, and Rominger—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 492 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Ingram, Johnson, M. B., Murphy, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—24.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 470—An act providing for the enlargement of Mount Diablo Park, making an appropriation for the purchase of additional lands and roadways therefor, and for the development thereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 470 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—25.

NOES—Senator Allen—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 167 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—Senators Allen, and Rominger—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 627—An act to provide for the survey and construction of a State highway from Governor's Camp, in the California Redwood Park, to the Coast Road at the point where said Coast Road

passed the divide between Washell Creek and Short Creek, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 627 passed by the following vote:

Ayes—Senators Adams, Lamm, Brown, Carson, Cook, Cummings, Loomis, Quinn, Thomsen, E. J. O'Connell, Hanks, Harris, Holt, Houston, Johnson, A. B. Lewis, Morgan, O'Connell, Quinn, Sherman, Smith, Strong, and West—20.
Nays—Senators Baughman, 1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 100.—An act appropriating money to pay the claim of Wilford H. Stroman and son.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 100 passed by the following vote:

Ayes—Senators Adams, Adams, Brown, Brown, Carson, Cook, Cummings, Loomis, Quinn, Thomsen, E. J. O'Connell, Hanks, Harris, Holt, Houston, Johnson, Johnson, A. B. Lewis, Morgan, O'Connell, Quinn, Sherman, Smith, Strong, and West—25.
Nays—Senators Baughman, 1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 211.—An act appropriating money to pay the claim of C. E. Bradbury against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 211 passed by the following vote:

Ayes—Senators Adams, Adams, Brown, Brown, Carson, Cook, Cummings, Loomis, Quinn, Thomsen, E. J. O'Connell, Hanks, Harris, Holt, Houston, Johnson, Johnson, A. B. Lewis, Morgan, O'Connell, Quinn, Sherman, Smith, Strong, and West—25.
Nays—Senators Baughman, 1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 675.—An act to provide for the accomplishment of the work of the department of improvement of the navigation of the Sacramento-San Joaquin and Feather rivers of the State of California, by continuing the debts existing the debts and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Delta Commission contained in the report of said commission submitted August 10, 1910, and transmittal to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the chief of engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the

rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 475 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission, submitted February 8, 1913, approved by the chief of engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 476 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Lewis, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXCUSED FROM VOTING.

Senator Hart asked for and was granted unanimous consent to be excused from voting on Senate Bill No. 206, and asked that the excuse be printed in the Journal.

Senate Bill No. 206—An act making an appropriation to pay the claim of Geo. A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 206 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hughes, Ingram, Iuman, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 207 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Iuman, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 724 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534a, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and repealing section 1534 of the Political Code.

Bill read third time.

HOUR OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until one o'clock and thirty minutes p.m.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and fifteen minutes p.m.

RECONVENED.

At two o'clock and fifteen minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 12 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the University Farm at agricultural fairs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 630 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 631 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 312 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 197 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 472 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the land settlement act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State land settlement finance committee the members of which are to serve without compensation; to define the powers and duties of said State land settlement finance committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 437 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada mountains known as the "John Muir Trail" and laterals therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 116 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 56 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—30.

NOES—Senators Rominger, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 316—An act to amend an act entitled "An act creating a State land settlement board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 316 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 741 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Chamberlin moved to reconsider the vote whereby Assembly Bill No. 478 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Chamberlin, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 478 was passed, was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Murphy, the further consideration of the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption, was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 85 was passed, was continued until the next legislative day.

EXPLANATION OF VOTE.

Explanation of vote upon special appropriation bills.

Unquestionably it was the idea of the voters that the budget amendment meant what it said, and that the budget bill prepared thereunder would be a channel of information to the public, and a means of control by the Legislature of all of the expenses of the State.

Special appropriations should only be made for extraordinary expenses, such, for example, as the Mother Lode highway.

Under the policy adopted by the Legislature the purpose of the budget amendment is defeated and the law made a farce.

L. L. DENNETT.

Senate Bill No. 252—An act to regulate and license the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for game preservation.

On motion of Senator Gates, Dr., Senate Bill No. 252 was passed on file.

Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 356 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 336 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 16 - A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

Constitutional amendment read.

The question being on the adoption of the Constitutional Amendment.

The roll was called, and Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES - Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Gadsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES - None.

Senate Constitutional Amendment No. 16 ordered transmitted to the Assembly.

Senate Bill No. 567 - An act to amend section 453c of the Civil Code, relating to insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 567 passed by the following vote:

AYES - Senators Arbuttle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr. Gates, E. J., Gadsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES - None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, May 9, 1923.

To the Senate of the State of California.

The constitution (chapter IV, section 6), provides that the census of the United States shall be the basis of fixing and adjusting the legislative districts of the State; and the Legislature shall, at its first session after each census, adjust such districts and reapportion the representation so as to preserve them as nearly equal in population as may be. There was a census taken in 1920 and the Legislature of 1921 was faced squarely with the duty of reapportionment. This duty was not performed. The present Legislature is faced with the same plain duty. One measure on reapportionment has been defeated and some doubt has arisen as to whether any action will be taken at this session.

While I have no desire to unduly influence legislation, I want to impress upon you the importance of obeying the constitution, and, to advise you that inasmuch as ample time remains for the enactment of a reapportionment measure, if you fail at this session of the Legislature to adopt a reapportionment bill, I will not call a special session for that purpose.

The need for reapportionment in compliance with the constitution is best shown by the following table giving the population of the various assembly districts according to the 1920 census :

District	Population
First	21,304
Second	37,857
Third	15,862
Fourth	21,396
Fifth	34,655
Sixth	24,116
Seventh	30,030
Eighth	37,595
Ninth	29,444
Tenth	40,602
Eleventh	26,220
Twelfth and Thirteenth (average)	25,395
Fourteenth and Fifteenth (average)	45,489
Sixteenth	20,645
Seventeenth	27,342
Eighteenth	53,889
Nineteenth and Twentieth (average)	39,952
Twenty-first to Thirty-third (average)	38,975
Thirty-fourth to Forty-first (average)	43,022
Forty-second	36,781
Forty-third	26,269
Forty-fourth and Forty-fifth (average)	50,294
Forty-sixth	43,557
Forty-seventh	18,534
Forty-eighth	36,975
Forty-ninth	36,782
Fiftieth to Fifty-second (average)	42,926
Fifty-third	21,893
Fifty-fourth	22,031
Fifty-fifth	59,031
Fifty-sixth	54,843
Fifty-seventh and Fifty-eighth (average)	26,700
Fifty-ninth	41,097
Sixtieth	28,724
Sixty-first to Seventy-fifth (average)	62,429
Seventy-sixth	61,375
Seventy-seventh	50,297
Seventy-eighth	43,383
Seventy-ninth and Eightieth (average)	56,124

The average population for the assembly districts, according to the 1920 census, should be 43,846. The population of the districts run from 15,862 to 62,429. The population of the senatorial districts show the same inequalities. The constitution not only says that the senatorial and assembly districts shall be divided "as nearly equal in population as may be", but shall be composed of contiguous territory, that no county, or city and county, shall be divided unless it contains sufficient population to form two or more districts, and that part of a county shall not be united with any other county in forming a district.

I hope you will give this matter your immediate attention.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

WHEREAS, The approach of adjournment of the Legislature sine die requires that the time of the Legislature be conserved to the utmost; therefore, be it

Resolved, That from and after this date, speeches on the floor of the Senate be limited to ten minutes in length for opening speeches, and five minutes for all other speeches. Extensions of time beyond said periods may be granted only by unanimous consent.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canapa, Carr, Chamberlin, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof:

Also: Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust:
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Assembly Bills Nos. 159 and 1038 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended:

Also: Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to the establishment of chambers by judges of the superior court in cities other than the county seat:

Also: Assembly Bill No. 1159—An act to amend section 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries:

Also: Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices:

Also: Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751a, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates:

Also: Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Assembly Bills Nos. 1052, 1157, 1159, 1266, 1319 and 1342 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings:

Also: Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court;

Also: Assembly Bill No. 496—An act to amend section 927a of the Code of Civil Procedure, relating to the small claims court;

Also: Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California: to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof: to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices: providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery: to prevent the sale of goods, wares and merchandise by false weights and measures:

to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Also: Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bills Nos. 125, 495, 496, 550 and 1322 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1324—An act to amend section 19c26 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 1356—An act to amend section 19f of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bills Nos. 1324 and 1356 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person, to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject—has had the same under

consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Assembly Bill No. 263 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, Chairman.

Assembly Bill No. 829 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—2; not voting—1.

MURPHY, Chairman.

Assembly Bill No. 84 ordered on file for second reading.

ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Manufactures, to which was referred Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes: prohibiting the use of secondhand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes; vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GODSIL, Chairman.
MURPHY.
ROMINGER.
GATES, DR.

Assembly Bill No. 1359 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 17—Relative to the increase of armament—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—5; committee vote: Ayes—5.

EDEN, Chairman.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out all of lines 1, 2, 3, 4, 5 and 6.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the words "the progress" and insert in lieu thereof the word "that".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the word "Resolved" strike out all of the printed bill down to and including the word "further" on line 21, and insert in lieu thereof the following: "That the senate and assembly of the State of California, jointly, memorialize congress to enact legislation which shall result in such increase in the size, efficiency and armament of the aircraft forces of the United States as will afford adequate protection for the nation, and also be it".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, after the comma after the word "Resolved" strike out all of the printed bill down to and including the word "effect" and insert in lieu thereof the following: "That our senators and representatives in congress be and they are hereby urged by the legislature of the State of California to use all honorable means to secure the enactment of laws which will insure such increases in our aircraft service".

Amendment adopted.

Senate Joint Resolution No. 17 ordered to print and on file.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tide lands belonging to the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

RUSH, Chairman.
GRAY.
HARRIS.
WEST.
HANDY.
GODSIL.
BOGGS.

Senate Bill No. 747 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-SEVEN.

Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College;

Also: Senate Bill No. 246—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote: Ayes—10; absent—6.

GATES, E. J., Chairman.

Senate Bill No. 234 ordered to second reading.

Senate Bill No. 246 ordered to second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Assembly Bill No. 277—An act to repeal section 3a of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

CHAMBERLIN, Chairman.

JOHNSON, A. B.

WEST.

CREIGHTON.

INMAN.

CARR.

Assembly Bill No. 277 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1059—An act to appropriate money in the State treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

Also: Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund";

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

SHARKEY, Chairman.

BREED.

HART.

SLATER.

GATES, E. J.

OSBORNE.

EDEN.

BOGGS.

JOHNSON, M. B.

Assembly Bill No. 1059 ordered on file for second reading.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED THIRTY-FOUR.

Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the words "SECTION 1," strike out the remainder of line 1 and all of line 2 and insert in lieu thereof the following: "The sum of sixteen thousand dollars, or so much thereof as may be necessary, is".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED FORTY-SIX.

Senate Bill No. 246—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "amend" and insert in lieu thereof the following: "repeal section sixteen of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period add the following: "Section sixteen of an act entitled "An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this act," approved May twenty-sixth, nineteen hundred thirteen as amended, is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 323—An act appropriating money to pay the claim of the Voorhies Investment Company against the State of California;

Also: Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building;

Also: Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—10; absent—6.

GATES, E. J., Chairman.

Senate Bill No. 323 ordered to second reading.

Senate Bill No. 376 ordered to second reading.

Senate Bill No. 745 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED TWENTY-THREE.

Senate Bill No. 323—An act appropriating money to pay the claim of the Voorhies Investment Company against the State of California.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED SEVENTY-SIX.

Senate Bill No. 376—A act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-FIVE.

Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court. Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES — RESUMED.

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act', to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921:

Also: Senate Bill No. 749. An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that same do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Senate Bill No. 739 ordered to second reading.

Senate Bill No. 749 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED THIRTY-NINE.

Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act', to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 13 of the title of the printed bill, strike out the period and in lieu thereof insert the following: "; and relating to the taking effect of this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, after the word "kin" insert a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of line 5 after the semicolon, lines 6 to 13, both inclusive, and in lieu thereof insert the following: "provided, that for the purpose of this act upon the death of the husband one-half of the community property is

taxable under the provisions of this act; *provided, further*, the one-half of the community property which belongs to the surviving spouse, under the provisions of section one thousand four hundred one of the Civil Code, and, in the case of the death of the wife, the community interest which goes to her husband under the provisions of section one thousand four hundred two of the Civil Code in the absence of her testamentary disposition thereof to another or others, shall not be deemed to pass to such surviving spouse as heir, but shall for the purpose of this act, be deemed to go, pass or be transferred for a valuable consideration, and the said one-half of the community property and the interest last mentioned going as aforesaid to the surviving husband shall not be subject to the provisions of this".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 14, of the printed bill, strike out the words "act; providing" and in lieu thereof insert the word "*provided*".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, after line 36, add the following:

"(6) This act shall become effective and in force contemporaneously with the taking effect of amendments to sections one thousand four hundred one and one thousand four hundred two of the Civil Code, which amendments were enacted at the forty-fifth session of the legislature of the State of California and known as chapter eighty of the statutes of 1923, and not otherwise."

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 16, page 2, of the printed bill, strike out the word "of" before the word "five" and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-NINE.

Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, insert in the blank space preceding the word "dollars", the words "forty million".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 17 and 18, of the printed bill, insert in the blank space preceding the word "dollars" on line 18 the words "forty million".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 26, of the printed bill, insert in the blank space preceding the word "dollars", the words "forty million".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 23, of the printed bill, insert in the blank space preceding the word "dollars", the words "forty million".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 28 and 29, of the printed bill, insert in the blank space preceding the word "dollars" on line 29, the words "forty million".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 37, of the printed bill, insert in the blank space preceding the word "dollars", the words "forty million".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

AMENDMENT FROM THE FLOOR.

Senator Nelson moved to amend Senate Bill No. 739 as follows:

On page 2, line 5, of the printed bill, after the word "State" add the following: "or subject to the jurisdiction thereof;"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill as amended in the Assembly April 18, 1923, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "to the election, shall divide the proposed district into election precincts and establish the boundaries of such precincts, designate a polling place in each precinct, and make all suitable arrangements for the holding of such election. They must".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 2, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "provided, further, that if lands within two or more incorporated cities are included in the proposed district, the district shall nevertheless be deemed organized if a majority of the votes cast within the unincorporated territory and within one or more of the said incorporated cities, respectively, are in favor of organization of the district, in which case the incorporated cities in which a majority of the votes cast are against organization shall not be or constitute a part of the district."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, lines 8 and 9, of the printed bill, strike out the words "Their term of office shall be two years" and insert in lieu thereof the following: "The term of office of each director shall be four years; provided, that of the directors first elected two shall hold office until the first Monday after the first Tuesday in March in the second year after the formation of the district, and three shall hold office until the first Monday after the first Tuesday in March in the fourth year after the formation

of the district, the respective terms of each to be determined by lot. In all cases directors shall serve as such until their successors have been elected and qualified."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 25, of the printed bill, strike out the word "five".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, lines 32 and 33, of the printed bill, strike out the words "They shall select one, and may select two, polling places within the district" and insert in lieu thereof the following: "They shall divide the district into election precincts or change the same and establish or re-establish the boundaries of such precincts and designate one polling place in each precinct;"

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 51, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "board".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 10, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "board"

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, strike out lines 21 to 28, inclusive, and insert in lieu thereof the following: "the same; to make and accept".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 35, of the printed bill, strike out the words "when directed by vote of the electors of the district".

Amendment adopted.

AMENDMENT NUMBER TEN.

On pages 5 and 6 of the printed bill, strike out lines 46 to 51, on page 5, and lines 1 and 2, on page 6, and insert in lieu thereof the following: "road or highway, or any part thereof, and the moneys belonging to such road districts may be expended in the improvement of such road or highway to conform to the width and general character of the balance of the road or highway, and for the purposes of this act the road district is hereby expressly authorized and empowered to take over control, operate and use in whole or in part any county road or highway, within the boundaries of the district."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, lines 45 and 46, of the printed bill, strike out the words "select one, and may select two, polling places within the district, and".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On pages 7 to 17 of the printed bill: Strike out lines 39 to 52, inclusive, on page 7, also strike out pages 8 to 16, inclusive, and lines 1 to the word "fund" on line 25 inclusive on page 17, and insert in lieu thereof the following:

"SEC. 16. At any time and from time to time after the adoption of a plan for a road or roads, the district board may by order entered on its minutes call an election for the purpose of determining whether a special assessment shall be levied for the construction of such road or roads and the acquisition of necessary rights of way therefor. In such case it shall not be necessary that the whole of such road or roads be constructed at one time as a single project, and the board of

directors may provide in said order that the same or any portion thereof shall be constructed in units or sections. The cost of the construction of such roads, or of each unit or section, shall be defrayed from assessments levied upon the lands to be benefited thereby. If the order calling the election provides for construction by units or sections it shall describe the same and designate the order in which they shall be constructed. The provisions of this act regarding the notice for and holding of elections for the issuance of bonds shall apply to the elections provided for in this section so far as practicable. The order calling the election shall state whether or not the assessment shall be payable at one time or in semi-annual installments; if in installments, the said order shall specify the number of the installments, and the amount of each installment. If two-thirds of the vote cast at said election are in favor of levying said assessment the board of directors shall so declare and shall appoint three commissioners to assess upon the land in the district which will be benefited by the carrying out of the plans for which said assessment was voted, an amount sufficient, as required herein, to provide for the payment of said assessment. One of said commissioners may be the engineer of the district, but none of said commissioners shall have any interest directly or indirectly in any real estate in the district. Each commissioner, before entering upon the duties herein prescribed, shall take and subscribe an oath to the effect that he is not interested in any real estate within the district and that he will perform the duties of commissioner in accordance with the provisions of this act, to the best of his ability. Such oath, when so subscribed, shall be filed with the secretary of the district. Said commissioners shall receive such compensation as may be agreed upon between them and the board of directors. A majority of said commissioners must concur in any action taken by them and must sign the assessment list herein provided for. If the board of directors shall so determine, only one such commissioner need be appointed, and he shall take oath as aforesaid and perform the duties herein required to be performed by the commissioners. The commissioners shall view the lands in the district and assess the total amount of said assessment upon such of said lands as will be benefited by the carrying out of the plans for which said assessment was voted. Said total amount shall be apportioned to and assessed upon the respective parcels of said lands in accordance with the benefits that will accrue to the respective parcels from the carrying out of said plans. The commissioners shall segregate said assessment so as to show the amounts that will become due and payable in installments as hereinafter provided. If the plans for which said assessment was voted shall have provided for the acquisition or construction of any roads in units or sections at various times, then the commissioners shall assess as aforesaid upon the respective parcels of land that will be benefited by the acquisition or construction of each such unit or section, the total amount, computed as aforesaid, to provide for the payment of the assessment specified for the acquisition or construction of each such unit or section.

SEC. 16a. Said commissioners shall prepare a list of the lands within the district, which shall show under appropriate headings the following:

1. The name of the owner, or the names of the owners, of each parcel of land separately listed. If the name of any owner is not known to the commissioners it shall be designated as "Unknown owner."

2. A description of each parcel of land separately assessed, sufficient to identify it.

3. The number of acres in each parcel separately assessed.

4. The amount in dollars and cents of the total assessment on each parcel of land separately assessed and the amounts of the respective installments thereof that will become due and payable and the respective dates at which they will respectively become due and payable in accordance with this act.

The last equalized assessment roll of the county in which any land so listed is situated shall be sufficient evidence of the ownership, description and area of such land, but the commissioners may make changes from said assessment roll in accordance with any facts of which they have knowledge, or in accordance with the records in the office of the county recorder of said county. No misnomer of any owner of land and no other error in regard to the ownership, description or area of such land shall invalidate said assessment.

SEC. 16b. When the commissioners shall have completed the assessment as above provided they, or a majority of them, shall sign it and file it with the secretary of the district, who shall present it to the board of directors at any meeting thereof. The board shall fix a time for the hearing of objections to and petitions for the modifications of said assessment, which time shall be not less than twenty-five days nor more than forty days from the date of the meeting at which the time was fixed. The secretary shall give notice of the time and place for said hearing by publication for at least three successive weeks. Said notice shall state the fact of the appointment of said commissioners and the purposes of their appointment and shall notify all persons interested in any land within the district that said assessment list is on file at the office of the district and open for public inspection and that the board of directors of the district will meet at the office thereof at the time fixed as aforesaid to hear and act upon any objection to or application for the modi-

fication of the assessment, provided that such objection or application is in writing and shall have been filed in the office of the district before the time fixed for said hearing. At said time the board shall meet at the office of the district and receive all such written objections and applications and shall proceed to a hearing thereon. If a quorum of said board is not present at the time fixed, a minority of the board or the secretary may adjourn the meeting from time to time until a quorum is present, but no such adjournment shall be for more than forty-eight hours. The board may adjourn any hearing to a place other than the office of the district if such adjournment is deemed proper to facilitate the hearing. The board shall hear all competent and relevant evidence that may be offered in support of such objections and applications and in opposition thereto and may call witnesses and make such investigations relating to said assessment as it may deem proper and may adjourn from time to time for such purposes. At the conclusion of the hearing the board, if it shall find that any changes in said assessment are necessary, it shall make such changes so that said assessment shall be in accordance with the requirements of this act, and in so doing the board may increase or decrease the assessment upon to any parcel of land or change the boundaries or the area of any parcel or make any other changes in accordance with the facts shown at said hearing or by said investigation, but no increase in the assessment upon any parcel of land shall be made by the board unless the owner or owners of said land shall be present when such increase was proposed or discussed by the board or unless a time for the consideration of such proposed increase shall have been fixed by the board and notice to appear at said time to show cause why such increase should not be made shall have been served on the owner or owners of the land at least five days before said time.

SEC. 16c. After such changes, if any, have been made the board shall by resolution confirm and adopt said assessment as so modified, or as submitted by the commissioners if no changes have been made by the board. A copy of said assessment list as so confirmed and adopted with a copy of the resolution of the board confirming and adopting said assessment shall be certified by the secretary as correct and shall be filed in the office of the county recorder of the county in which the district is situated. From and after the filing of said copies of said list and said resolution in the office of said county recorder, the assessment upon each parcel of land described in said list shall be a lien thereon. The assessment list, when confirmed and adopted by the board of directors as aforesaid, shall be prima facie evidence of the regularity and validity of all proceedings in relation thereto and that all the requirements of law in regard to said assessment have been complied with, and no action attacking the regularity, correctness or validity of said assessment shall be maintained unless such action is commenced within thirty days after said certified copies of said assessment list and said resolution of the board of directors shall have been filed with said county recorder.

SEC. 16d. The assessment confirmed and adopted by the board of directors as aforesaid shall be due and payable at one time or in semi-annual installments, in accordance with the provisions of the order of the board of directors calling the election at which the levying of said assessment was authorized. The assessment, if payable at one time, or the first installment, if payable in installments, shall be due and payable on the third Monday in October or the third Monday in May next following the date of the said election, as may have been specified in the order calling the election. Thereafter, one installment, if the assessment is payable in installments, shall be due and payable semi-annually on the third Monday in May and the third Monday in October each year until all of the installments have been paid.

If any such assessment or installment due and payable under the provisions of this act in the month of October of any year is not paid before five o'clock p.m. of the third Monday in December of that year, said assessment or installment shall then become delinquent, and if any assessment or installment due and payable under the provisions of this act in May of any year is not paid before five o'clock p.m. of the third Monday in June of that year, said assessment or installment shall then become delinquent. When any assessment or installment becomes delinquent, a penalty of ten per cent of the amount thereof must forthwith be added thereto by the officer whose duty it may be to collect said assessment or installment and said penalty must thereafter be collected with said assessment or installment as herein-after provided. Any assessment or any installment of an assessment may be paid before it is due, to the officer charged with the collection of the assessments of the district.

SEC. 16e. Whenever any assessment has been confirmed and adopted by the board of directors as aforesaid, the secretary shall file with the tax collector of the county in which the district is situated a list showing the name of each person assessed, the description of each parcel of land assessed and the area thereof, as the same appear on the assessment list, the amount assessed against each parcel assessed, the amount of each installment of said assessment if the same is payable in installments and the date when said assessment or the dates when the respective installments thereof will be due and payable. Said list shall be certified by the secretary as

correct, and shall contain blank columns in which the tax collector may enter the amount and date of the payment of each assessment or installment thereof, the date of its delinquency if it becomes delinquent, the total amount due after delinquency and the date of payment and amount paid on any delinquent assessment. The secretary shall also give notice by publication once a week for two weeks, beginning in the month in which any assessment or assessments or installment or installments thereof are due and payable, stating that said assessment or assessments or installment or installments of an assessment or assessments of said district are due and are payable at the office of the tax collector of the county in which the land assessed is situated, and stating also the time when said payment will become delinquent and that a penalty of ten per cent of the amount due will be added if payment is not made before said time. Failure to give such notice shall not invalidate or affect any assessment confirmed and adopted after a report by commissioners and a hearing by the board of directors. The tax collector shall receive all moneys paid on special assessments, annual assessments and installments of special assessments of the district as shown by the list or lists filed with him, and on or before the last Monday in each month shall pay to the treasurer of the county in which the district is situated all moneys so received. Said treasurer shall give receipts for all moneys so received by him and shall transmit to the Secretary of the district signed duplicates of all such receipts.

Sec. 17. For the purpose of providing moneys for the payment of principal and interest on district bonds as the same become due and payable and for the payment of the general expenses of the district and the maintenance and repair of its roads, an annual assessment shall be levied upon the lands in the district. The secretary must, between the first Monday in March and the first Monday in June, in each year, assess all real estate in the district, to the persons who own, claim or have possession or control thereof, at its full cash value, as follows: He must prepare an assessment book with appropriate headings, in which must be listed all such property within the district, in which must be specified, in separate columns, under the appropriate head: (1) the name of the person to whom the property is assessed, if the name is not known to the assessor, the property shall be assessed to "unknown owners"; (2) land by township, range, section or fractional section, and when such land is not congressional division or subdivision, by metes and bounds, or other description sufficient to identify it, giving an estimate of the number of acres and locality; (3) city and town lots, naming the city or town and the number and block, according to the system of numbering in such city or town; (4) the cash value of real estate, other than city or town lots; (5) the cash value of city and town lots; (6) the total value of all property assessed; (7) the total value of all property after equalization by the board of directors; (8) such other things as the board of directors may require. Improvements on any lands or town lots within such districts shall be exempt from taxation for any of the purposes mentioned in this act. Any property which may have escaped the payment of any assessment for any year, shall, in addition to the assessment for the then current year, be assessed for such year with the same effect and with the same penalties as are provided for in such current year. The term improvements as used in this section includes trees, vines, alfalfa and all growing crops and all buildings and structures of whatever class or description erected or being erected upon said lands or city or town lots.

Sec. 17a. The board of directors must allow the secretary as many assistants, to be appointed by him, as will, in the judgment of the board, enable him to complete the assessment within the time herein prescribed. The board must fix the compensation of such assistants, which shall be paid out of the funds of the district. The compensation must not exceed five dollars per day for each assistant, for the time actually engaged, nor must any allowance be made but for work done between the first Monday in March and the first Monday in August in each year.

Sec. 17b. On or before the first Monday in August of each year, the secretary must complete his assessment book, and give notice thereof, and of the time the board of directors, acting as a board of equalization, will meet to equalize assessments, by publication in a newspaper published in each of the counties comprising the district. The time fixed for the meeting shall not be less than twenty nor more than thirty days from the first publication of the notice; and in the meantime the assessment book must remain in the office of the secretary for the inspection of all persons interested.

Sec. 17c. Upon the day specified in the notice required by the preceding section for the meeting, the board of directors, which is hereby constituted a board of equalization for that purpose, shall meet and continue in session from time to time, as long as may be necessary, not to exceed ten days, exclusive of Sundays, to hear and determine such objections to the valuation and assessment as may come before them; and the board may change the valuation as may be just. The secretary of the board shall be present during its sessions, and note all changes made in the valuation of property, and in the names of the persons whose property is assessed; and within ten days after the close of the session he shall have the total values, as finally equalized by the board, extended into columns and added.

Sec. 18. The board of directors shall then, within ten days after the close of its session as a board of equalization, levy an assessment upon the lands within the district in an amount sufficient to raise the interest due or that will become due on

all outstanding bonds of the district on the first day of the next ensuing January and the first day of the next ensuing July, or that the board of directors believes will become due on either or both of said dates, on bonds authorized but not sold; also sufficient to pay the principal of all bonds of the district that have matured or that will mature before the close of the next ensuing calendar year; also sufficient to raise such amount not exceeding two per centum of the aggregate value of the lands within the district according to the latest duly equalized assessment roll thereof, as the board of directors shall determine may be needed to be raised by assessment for any of the purposes of this act.

The secretary of the board must compute and enter in a separate column of the assessment book the respective sums in dollars and cents to be paid as an assessment on the property therein enumerated.

The assessment upon land is a lien upon the property from and after the first Monday in March for any year.

SEC. 19. On or before the tenth day of October, the secretary must deliver the assessment book to the tax collector of the county in which the district is situated, and the secretary shall within twenty days publish a notice in a newspaper published in the county in which the district is situated, that said assessments are due and payable at the office of the county tax collector and will become delinquent at six o'clock p.m. on the last Monday of December next thereafter, and that unless paid prior thereto ten per cent will be added to the amount thereof, which notice shall be published once a week for two weeks. The assessments must be paid in gold and silver coin. The tax collector must mark the date of payment of any assessment in the assessment book, opposite the name of the person paying and give a receipt to such person, specifying the amount of the assessment and the amount paid, with the description of the property assessed. On the last Monday in December at six o'clock p.m. of each year, all unpaid assessments are delinquent and thereafter the collector must collect thereon, for the use of the district, an addition of ten per cent.

SEC. 20. On or before the tenth day of July of each year the tax collector of any county in which is situated any road district whereon any annual assessments, special assessments or installment of any special assessment thereof is delinquent shall prepare and publish a list of all such delinquent assessments or installments. Said list shall be prepared and published in substantially the same form as delinquent lists for county taxes. Said list shall be published for at least three successive weeks in a newspaper, published in said county, together with a notice stating that the delinquent property described in said list will be sold for the amounts specified therein in front of the courthouse of said county at a time to be specified in said notice, which shall be not more than thirty days from the date of the first publication of such notice. At the time stated in said notice, or at some other time to which said sale may have been postponed by said tax collector, the tax collector must offer said property for sale at public auction, beginning at the top of the list and offering each parcel successively until all the parcels advertised have been offered for sale. The owner or person in possession of any property advertised for sale may designate to the tax collector in writing before the sale the portion of the property which he wishes sold, if less than the whole, and if no such designation has been received, the tax collector may designate the portion to be sold. The person who will take the smallest quantity of any parcel of land, or, if an undivided interest is delinquent, the least portion of the interest, and pay the amount of the delinquent assessments and penalties, together with one dollar as costs, shall be declared the purchaser of the land or interest therein for which he made the bid. If no bid is received for a parcel advertised or for any part thereof, or if the person declared the purchaser shall fail to pay the amount required within twenty-four hours after the sale to him, the whole of the property shall be struck off to the district as the purchaser. A certificate of such sale shall be executed by the tax collector to the purchaser upon payment of the amount required, or to the district if it is the purchaser, and this certificate shall be recorded in the office of the county recorder of the county. Any person interested in said property may redeem the same at any time within three years from the date of said sale by paying to the county tax collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of said sale. If no redemption of land sold for delinquent assessments as aforesaid shall have been made within three years from the date of said sale, the purchaser, or his successor in interest, shall be entitled to a deed to said property, and the county tax collector of the county in which said land is situated shall execute such a deed upon demand of the person entitled to the same. The effect of such a deed shall be to convey said property, free and clear of all liens and encumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by statutory authority, and the lien of any district assessment or installment thereof then remaining unpaid. The district as a purchaser at a sale for delinquent assessments shall be entitled to all the rights of a private purchaser. The board of directors may sell any property so sold to the district, or the interest of the district in such property by virtue of a certificate of sale, but such property or interest must be sold at public auction, after notice by publication for at

least two successive weeks of the time and place of said sale, which notice shall describe the property to be offered for sale, and no such property shall be sold for less than the amount that would be required to redeem it if the district has not yet received a deed to it, or for less than the amount that would have been required to redeem it on the day before the district became entitled to a deed, together with interest on said amount at the rate of seven per cent per annum from that time if the district has been given a deed to the property. Any property held by the district under a certificate of sale may be redeemed at any time before the district has received a deed to it for the minimum sum at for which the district would be allowed to sell it if a deed had been given to the district.

SEC. 21. Whenever a road district or proposed road district includes lands situated in two or more counties, the powers, duties, and jurisdiction herein conferred or imposed upon the board of supervisors and the county treasurer, shall be exercised and performed by the board of supervisors and the county treasurer, respectively, of the county in which the greater portion of the district is situated. In such case, assessment books and assessment lists, or certified copies of so much thereof as pertain to lands of the district situated in the respective counties shall be filed with the tax collectors of said several counties; and in respect to collection of assessments, sale for delinquencies and redemption from such sales the said several tax collectors shall perform the duties and exercise the jurisdiction and powers herein imposed upon the county tax collector, in so far as pertains to lands of the district situated in their respective counties.

SEC. 22. If any assessment shall be adjudged invalid, the board of directors may appoint commissioners again to assess the proper amount upon the lands of the district that will be benefited, if said invalid assessment was prepared by commissioners, and the board may levy another assessment for the same purpose or purposes if said invalid assessment was an annual assessment levied by the board.

SEC. 23. The county treasurer of the county in which the district, or the greater portion thereof, is situated shall receive to the credit of the district and in trust for its uses and benefits all the funds thereof, and all such funds belonging to the district, or to which the district is entitled, shall, when received, except as herein otherwise provided, be paid by the person so receiving them to the said treasurer. The treasurer shall establish for the district two funds, which shall be designated as the bond fund and the general fund. The bond fund shall consist of all moneys raised by assessments or otherwise for the payment of the principal of or interest on bonds of the district, the proceeds of the sale of land, for assessments for such purposes which have become delinquent."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On pages 18 and 19 of the printed bill, strike out lines 12 to 52, inclusive, on page 18, and lines 1 to 5, inclusive, on page 19, and insert in lieu thereof the following: "board of supervisors shall set over and transfer to the general fund of the district all of the property tax for highway purposes and not less than sixty-five per cent of the property road tax collected in such district."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 19, line 19, of the printed bill, after the word "issued" insert the following: "or any assessment theretofore levied".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 19, line 42, of the printed bill, after the word "and", insert the following: "to cause to be collected any and all assessments theretofore levied, and to".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On pages 19 and 20 of the printed bill, strike out lines 16 to 52, inclusive, on page 19; also strike out lines 1 to 14, inclusive, on page 20 and insert in lieu thereof the following:

"Sec. 27. After the formation of a district hereunder, the board of directors shall have power to levy and collect an assessment, not exceeding the rate of five cents upon each one hundred dollars' valuation of the lands in the district. When so instructed by the board of directors, the secretary shall forthwith prepare an assessment list in the manner and form and setting forth the matters herein required for the preparation of an assessment book for the annual district assessments. Upon the completion of the assessment list the secretary shall submit".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 20, line 42, of the printed bill, strike out the words "per acre".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 22 of the printed bill, after line 6, add the following:

"SEC. 30. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 31. This act is intended to furnish an alternative method for accomplishing the road construction, improvement and maintenance provided for herein, and does not repeal any other act or acts for the construction, improvement or maintenance of roads, streets or other public highways."

Amendment adopted.

AMENDMENT FROM THE FLOOR.

Senator Slater moved to amend Assembly Bill No. 979 as follows:

AMENDMENT NUMBER ONE.

On page 3, line 32, of the printed bill, as amended April 19, 1923, after the period in said line, insert the following: "Not less than ten days before any election at which district officers are to be chosen, any ten or more electors in the district may file with the board whose duty it is to provide the ballots at such election, a petition requesting that certain persons, specified in the petition, be placed on the ballot as candidates for the offices named in the petition. The names so proposed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which electors may write other names if they so desire."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, beginning with the word "For" strike out the remainder of line 8 and all of lines 9 to 19, inclusive, and insert in lieu thereof the following: "For this purpose he may require of the county auditor a report of the amount of all school moneys on hand to the credit of the several school funds of the county not already apportioned; and it is hereby made the duty of the auditor to furnish such report when so required. If at the beginning of any school year

any school district shall have an unincumbered balance in its maintenance funds which combined with its total estimated income to be received for maintenance purposes from all sources other than district taxes during the current year shall exceed a sum of money sufficient to maintain and conduct the schools of the district during the current year, then the county superintendent of schools shall in the month of August of that school year transfer a sum of money from the maintenance funds of that district to the unapportioned school funds of the county, or city and county, equal to eighty per cent of the excess estimated as herein provided."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, after the word "blank" insert the following: "prescribed by the county superintendent of schools and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 43, of the printed bill, strike out the words "an intermediate school course" and insert in lieu thereof the words "a junior high school".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 46 and 47, of the printed bill, strike out the words "intermediate school course" and insert in lieu thereof the words "junior high school".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 50 and 51, of the printed bill, strike out the words "intermediate school course" and insert in lieu thereof the words "junior high school".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 52, of the printed bill, strike out the word "intermediate" and insert in lieu thereof the word "junior".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 1, of the printed bill, strike out the words "school course" and insert in lieu thereof the words "high school".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the printed bill, strike out the words "intermediate school course" and insert in lieu thereof the words "junior high school".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 30, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "or a credential issued by the state board of education recommending the holder to receive a kindergarten-primary certificate."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 35, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "or to the holder of a credential issued by the state board of education recommending the holder to receive an elementary school certificate, or to the holder of an official statement issued by the president of a California state teachers college vouching for the fact that such holder is a graduate of the elementary school teachers' course in such teachers college."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 42, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "or to the holder of a statement issued by the dean of a school of education accredited for high school certification by the state board of education vouching for the fact that such holder has been recommended by such school of education for a high school certificate."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, after line 53, of the printed bill, add the following:

"(c) A temporary health and development certificate, or an attendance officer certificate, or a junior high school certificate, to the holder of a credential granted by the state board of education recommending the holder to receive such certificate."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 17, of the printed bill, strike out the words "normal school" and insert in lieu thereof the following: "teachers college, or a recommendation from an institution accredited by the state board of education for high school or junior high school certification."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 49, of the printed bill, after the period after the word "district" insert the following: "Any required amount of money so received may be used to provide suitable housing quarters for the teacher or teachers and to meet the necessary expenses of erecting, equipping and caring for the school property; and also for the purpose of purchasing food or clothing or both for pupils in cases of absolute necessity and want."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 6, line 6, of the printed bill, beginning with the word "and" strike out the remainder of line 6 and all matter in line 7 down to and including the word "education" and insert in lieu thereof the following: "at a salary which shall be fixed annually by the county board of education."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 26, of the printed bill, after the period insert the following: "Such supervisory certificate shall be granted by the county board of education under regulations prescribed by the state board of education. No member of a county board of education shall be eligible for appointment under the provision of this subdivision."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the Mother

Lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Slater:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, as amended May 2, 1923, between lines 42 and 43, insert the following: "Not less than ten days before any election at which district officers are to be elected, any ten or more voters of the district may file with the board whose duty it is to provide the ballots at such election, a petition requesting that certain persons, specified in the petition, be placed on the ballot as candidates for the offices named in the petition. The names so proposed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which voters may write other names if they so desire. Each election held hereunder shall be conducted, so far as practicable, in conformity with the general election laws of this state."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, lines 34 to 38, strike out the words "if the" in line 34, and all of lines 35 to 38, inclusive, and insert in lieu thereof the following: "within the boundaries of the district, such construction or improvement to conform to the width and general character of the balance of the said county road or highway. The board of supervisors of the county in which any highway district is situated shall set apart and use for road work in the district all of the property tax for highway purposes and not less than sixty-five per cent of the property road tax collected in such district.

Before the acquisition, construction".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 16 of the printed bill, after line 3, add the following:

"SEC. 33. This act is intended to furnish an alternative method for accomplishing the highway construction, improvement and maintenance provided for herein, and does not repeal any other act or acts for the construction, improvement or maintenance of roads, streets, or other public highways.

SEC. 34. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portion of this act. The legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, sentences, clauses, or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for

Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*d*, relating to cooperative business corporations or associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 488—An act to amend section 19*r*12 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 547—An act to amend section 19*x*32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment

of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 15, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1100—An act permitting the insertion of provisions in contracts for public work for the arbitration of disputes arising under such contracts or in the performance of the work thereunder between the contracting parties.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 424—An act to add two new sections to the Penal Code, to be numbered 1599a and 1599b, relating to property taken from persons detained in city, county, or city and county jails.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "two new sections" and in lieu thereof insert the words "a new section".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out the words "and one thousand five hundred ninety-nine b".

Amendment adopted.

• AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 4 to 11, both inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out the number "1599b" and in lieu thereof insert the number "1599a".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 117—An act to amend section 4269 of the Political Code relating to salaries, fees and expenses of officers in counties of the fortieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

UNFINISHED BUSINESS.

Senator Dennett asked for and was granted unanimous consent to take up Senate Bill No. 417.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, E. J., moved to refer Senate Bill No. 417 to Senator Eden, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "two hours" and insert in lieu thereof the words "one hour".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 417, with instructions to amend, respectfully reports the same back, amended as per instructions.

On page 1, line 8, of the printed bill, strike out the words "two hours" and insert in lieu thereof the words "one hour".

EDEN, Special Committee.

Report read, and on motion of Senator Gates, E. J., adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 301 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SWING IN THE CHAIR.

At three o'clock p.m., Senator Swing of the thirtieth district was called to the chair.

Senate Bill No. 699—An act to provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health; defining its powers and duties; and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 699 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 50 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the first agricultural district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 73 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 730 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 737 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 634 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 214—An act to amend section 626*i* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 214 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 9—Relative to narcotics.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 9 adopted by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Senate Joint Resolution No. 9 ordered transmitted to the Assembly.

Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 222 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

On motion of Senator Canepa Senate Bill No. 390 was passed on file.

RE-REFERENCE OF BILL.

On motion of Senator Gates, Dr., Senate Bill No. 252 was re-referred to Committee on Fish and Game.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 409 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes,

Hurley, Ingram, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 734 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Eden, Gray, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and Swing—22.

NOES—Senators Gates, Dr., Hurley, and West—3.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Arbuckle gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 734 was passed.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

Senate Concurrent Resolution No. 26 (offered by Committee on Revenue and Taxation as a substitute for Senate Bill No. 735)—Relative to the creation of the "Legislative Tax Committee of 1923", for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states.

Senate Concurrent Resolution No. 26 read and referred to Committee on Rules.

STATEMENT BY SENATOR BREED.

Senator Breed asked permission to make a statement. He stated that the message of Governor Richardson regarding reapportionment brought to the attention of the Senate, Senate Bill No. 48, reported in this day by the Committee on Reapportionment.

Senator Breed stated that the hearing upon said bill before the committee was most hasty and unsatisfactory and therefore should be again considered immediately by the Committee on Reapportionment to save the time of the Senate.

A general discussion then ensued.

POINT OF ORDER.

Senator Gray raised the point of order that "there was no question before the Senate."

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

MOTION.

On motion of Senator Breed Senator Johnson, A. B., was granted permission to speak on the Governor's message and upon Senate Bill No. 48.

Motion carried.

MOTION.

Senator Murphy moved that all the Senators be allowed to speak on the issue.

Motion carried.

Further discussion was then had without definite action being taken.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Breed, Senator Swing declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Thursday, May 10, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—37.

Quorum present.

PRAYER.

Prayer was offered by the Rev. Byrl F. Babcock, assistant pastor Westminster Presbyterian Church, Sacramento.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, May 9, 1923, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Sharkey was, on motion of Senator Carr, granted leave of absence for this day.

Senator Burnett was, on motion of Senator McDonald, granted leave of absence for this day.

Senator Harris was, on motion of Senator Powers, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 106—An act relating to the acquisition by

the State of land for redwood parks; authorizing the State Board of Forestry to make a survey and report on all suitable redwood park sites in the State; providing a method for procuring such parks by purchase, donation or condemnation proceedings and prescribing the procedure therefor; providing for assistance by the Attorney General and vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State;

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 106 read first time, and referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 673—An act appropriating money to pay the claim of the Clark and Henery Construction Company against the State of California;

Also: Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins;

Also: Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry, against the State of California;

Also: Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California;

Also: Assembly Bill No. 1265—An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 673 read first time, and referred to Committee on Finance.

Assembly Bill No. 437 read first time, and referred to Committee on Finance.

Assembly Bill No. 671 read first time, and referred to Committee on Finance.

Assembly Bill No. 1265 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 670 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies;

Also: Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California;

Also: Assembly Bill No. 934—An act to amend sections 362a, 362b, 362c and 362d of the Political Code, relating to the Department of Education;

Also: Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals;

Also: Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 369a of the Political Code.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1351 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 436 read first time, and referred to Committee on Finance.

Assembly Bill No. 901 read first time, and referred to Committee on Finance.

Assembly Bill No. 934 read first time, and referred to Committee on Education.

Assembly Bill No. 855 read first time, and referred to Committee on Finance.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the Laws of 1921;

Also: Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines as executor against the State of California;

Also: Assembly Bill No. 546—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 102 read first time, and referred to Committee on Finance.

Assembly Bill No. 134 read first time, and referred to Committee on Finance.

Assembly Bill No. 435 read first time, and referred to Committee on Finance.

Assembly Bill No. 546 read first time, and referred to Committee on Finance.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*o*, relating to the salary of superior judges;

Also: Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*u*, relating to salaries of judges of the superior court in Stanislaus County;

Also: Assembly Bill No. 1338—An act to add a new article to chapter III of title 1 of part 114 of the Political Code, to be numbered article 11*f*, embracing sections 365 to 365*c*, both inclusive, relating to the California Highway Commission.

Also: Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the superior court of Los Angeles County;

Also: Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737*zzz*, relating to the salaries of superior court judges.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 11 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 214 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1338 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 165 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1017, read first time, and referred to Committee on Judiciary.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 25. A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Constitutional Amendment No. 25 referred to Committee on Constitutional Amendments.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Concurrent Resolution No. 23 referred to Committee on Oil Industries.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same;

Also: Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921;

Also: Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California;

Also: Assembly Bill No. 672—An act making an appropriation to pay the claim of E. A. Wheeler, against the State of California;

Also: Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 569 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 402 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 638 read first time, and referred to Committee on Finance.

Assembly Bill No. 672 read first time, and referred to Committee on Finance.

Assembly Bill No. 669 read first time, and referred to Committee on Finance.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 9 concurred in Senate amendments to Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education;

Also: Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 796—An act to amend section 4300*a* of the Political Code, relating to the fees of the county clerk;

Also: Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code relating to the selling or leasing of school property unoccupied by any public school; to add a new section to the Political Code to be numbered 1617½ relating to the selling or leasing of any real property upon which no public school is being maintained.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 8 concurred in Senate amendments to Assembly Bill No. 1334—An act authorizing and directing the California Highway Commission to lay out and acquire a right of way or rights of way for a highway or highways from the county line of the city and county of San Francisco, in, to and through San Mateo County, and to construct the same at a location or locations to be selected by said commission, declaring and establishing the same as a State highway or State highways, authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway or highways, authorizing the California Highway Commission to accept said contributed money or property and to place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created;

Also: Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D and E streets in the town of Sausalito and providing for the transfer and possession thereof to said town of Sausalito.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 8th concurred in Senate amendments to Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 469—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith;

Also: Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor;

Also: Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments;

Also: Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32a, relating to the issuing of funding or refunding bonds of such districts;

Also: Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764c, relating to powers and duties of high school boards.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 7 concurred in Senate amendments to Assembly Bill No. 1107—An act defining the term, lowest responsible bidder;

Also: Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 5 concurred in Senate amendments to Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3,

1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 3 concurred in Senate amendments to Assembly Joint Resolution No. 17—Relative to memorializing congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several States with respect to certain lands of the United States within the borders of said States, and for other purposes.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 4 concurred in Senate amendments to Assembly Concurrent Resolution No. 12—Relative to adjournment sine die.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 4 concurred in Senate amendments to Assembly Bill No. 775—An act to amend section 1664 of the Code of Civil Procedure, relating to procedure in probate matters;

Also: Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class;

Also: Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 3½.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 1st concurred in Senate amendments to Assembly Bill No. 1114—An act to amend an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts

done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 2 concurred in Senate amendments to Assembly Bill No. 862—An act to amend section 626e of the Penal Code, relating to protection of deer:

Also: Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 244, and providing for the annexation of unincorporated territory to a fire district:

Also: Assembly Bill No. 294—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 3 concurred in Senate amendments to Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof:

Also: Assembly Bill No. 548—An act to amend section 1261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class:

Also: Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury:

Also: Assembly Bill No. 969—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 346—An act to repeal chapter 210, Statutes of 1893, chapter 99, Statutes of 1897, chapter 321, Statutes of 1909, chapter 477, Statutes of 1921, and sections 1745, 1746, 1746a, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885a, 1886, 1887, 1888, 1888a, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1889, 1881, 1882, 1883, 1883a, 1883b, 1883c, 1883d, 1883e, 1883f, 1883g, 1884, 1885, 1885a, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 25—Approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the first day of May, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Concurrent Resolution No. 25 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by adding a new section thereto to be numbered section 64—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Assembly Bill No. 893 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Assembly Bill No. 1353 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

INMAN, Chairman.

Assembly Bill No. 1219 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Assembly Constitutional Amendment No. 30 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays;

Also: Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees;

Also: Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of rape or carnal abuse of females under the age of ten years;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bills Nos. 774, 789 and 828 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 619—An act to amend section 1808 of the Code of Civil Procedure, relating to the entry of order appointing guardian;

Also: Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county;

Also: Assembly Bill No. 622—An act to repeal section 927*n* of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof;

Also: Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for: warrant of arrest; certificate of service;

Also: Assembly Bill No. 645—An act to amend section 1313 of the Civil Code, relating to charitable bequests;

Also: Assembly Bill No. 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments;

Also: Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State;

Also: Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure to be numbered 1593, relating to administrators or guardians;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bills Nos. 619, 620, 622, 629, 645, 821, 984 and 1076 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property;

Also: Assembly Bill No. 1248—An act to amend section 274*a* of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer;

Also: Assembly Bill No. 1249—An act to amend sections 852, 855, 857*a*, and 858, and to repeal section 857 of the Code of Civil Procedure relating to justices' courts;

Also: Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court;

Also: Assembly Bill No. 1318—An act to amend section 1158 of the Civil Code, relating to recording;

Also: Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bills Nos. 1245, 1248, 1249, 1279, 1318 and 1000 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 38—An act to amend section 953*c* of the Code of Civil Procedure, relating to record on appeal;

Also: Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion;

Also: Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond;

Also: Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases;

Also: Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases;

Also: Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases;

Also: Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment; commitment, form of;

Also: Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bills Nos. 38, 427, 618, 623, 624, 627, 630 and 632 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 3—An act to add a new section to the Civil Code to be numbered 3051a, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said Code—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—8; absent—6.

JONES, Chairman.

Assembly Bill No. 3 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—5; committee vote: Ayes—3; absent—2.

HUGHES, Chairman.

Assembly Bill No. 779 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15a, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—5; committee vote: Ayes—3; absent—2.

HUGHES, Chairman.

Assembly Bill No. 781 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—5; committee vote: Ayes—3; absent—2.

HUGHES, Chairman.

Assembly Bill No. 787 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and

36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended;

Also: Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama county to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868"; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bills Nos. 640, 1151 and 1341 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of state improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply;

Also: Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended;

Also: Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

CARR, Chairman.

Assembly Bills Nos. 318, 422 and 816 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 358 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended;

Also: Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended.

Also: Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bills Nos. 438, 509, 1301 and 1131 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 1243 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class;

Also: Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class;

Also: Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class;

Also: Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bills Nos. 202, 1175, 1298 and 497 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 54—An act providing for the manufacture, distribution, use and sale of cement and cement products by the Department of Public Works of the State of California; defining the powers and duties of said board relative thereto, and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 168—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes;

Also: Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bills Nos. 54, 168 and 582 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER FIFTY-FOUR.

Senate Bill No. 54—An act providing for the manufacture, distribution, use and sale of cement and cement products by the department of public works of the State of California: defining the powers and duties of said board relative thereto, and making an appropriation to carry out the purposes of this act.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of section 6.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-EIGHT.

Senate Bill No. 168—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 5, both inclusive, of the title of the printed bill, and in lieu thereof insert the following:

"An act authorizing the state board of charities and corrections to investigate and report at the forty-sixth session of the legislature concerning the adoption of an old age pension law and making an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 23, both inclusive, and strike out pages 2, 3, 4, 5, 6 and 7 and in lieu thereof insert the following:

"SECTION 1. It shall be the duty of the state board of charities and corrections to investigate and consider the various systems of old age pensions which are now in operation or may be proposed in other states of the United States or in foreign countries and to make a full and complete report of its findings and all data so obtained, properly tabulated, to the legislature at its next regular session. Said board shall also report statistics showing the probable expense to the state of any system that it may recommend for adoption. Said board is hereby authorized and empowered to do all things necessary in accordance with law for the purpose of making such investigation and report.

SEC. 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of two thousand five hundred dollars, or so much thereof as in the judgment of said board may be necessary for the purpose of carrying out the provisions of this act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED EIGHTY-TWO.

Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of" strike out the word "dollars" and insert in lieu thereof the following: "four hundred sixty-one dollars seventy-four cents".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

JONES, Chairman.
SAMPLE
CHAMBERLIN.
INMAN.
EDEN.
LYON.
SWING.
DENNETT.
WEST.
NELSON.
JOHNSON, A. B.

Senate Bill No. 740 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY.

Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the legislature as a member thereof.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence, or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties and counties of the second, third, fourth, fifth and sixth class,

and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation, except that amendments be adopted.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Senate Bill No. 166 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-SIX.

Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence, or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties and counties of the second, third, fourth, fifth and sixth class, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 8, of the printed bill, strike out the word "warranty" and insert in lieu thereof the word "warrant".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 29, of the printed bill, strike out the word "twenty-two", and insert in lieu thereof the word "twenty-one".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 525—An act to limit appropriation of water for power purposes, and prohibiting a wasteful use—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

DENNETT, Chairman.

Senate Bill No. 525 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TWENTY-FIVE.

Senate Bill No. 525—An act to limit appropriation of water for power purposes, and prohibiting a wasteful use.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 1 of the printed bill, strike out the word "No" and all the remainder of said line, and also all of lines 2, 3, 4, 5 and 6, and insert in lieu thereof the following: "In any case when application to appropriate water for power purposes is made to the division of water rights, and it is proposed in the application to return the water so used for power purposes to a natural water course at a point too low to be again diverted for agricultural purposes, in so far as it may be reasonably necessary to divert such water for agricultural purposes above such point of return, the permit issued pursuant to such application and the priority of right so confirmed, shall be subject to future appropriations for agricultural purposes above such point of return.

SEC. 2. All permits issued by the division of water rights for the direct diversion and use of water for power purposes during the non-irrigating season, which water is not again used for other beneficial purposes, shall be issued subject to the condition that such permit and priority of right so confirmed is subject to the future appropriation of such water for the purpose of storage and later diversion to beneficial use; *provided*, that such waters so stored shall be released, flow down the natural channel, and be available for the use of the power permittee."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California;

Also: Senate Bill No. 748—An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the Budget Act passed at the present session of the Legislature;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

GATES, E. J., Chairman.

Senate Bills Nos. 742 and 748 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-TWO.

Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-EIGHT.

Senate Bill No. 748—An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the budget act passed at the present session of the Legislature.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 447—An act creating the Peninsula Development District, comprising the city and county of San Francisco and a portion of San Mateo County, conferring certain powers thereon and providing for the exercise thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, M. B. moved to refer Senate Bill No. 447 to Senator Godsil, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "development" strike out the remainder of line 1, all of line 2 and the word "county" in line 3, and insert in lieu thereof the word "board".

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, after the comma after the word "recited", strike out all of the printed bill down to and including the word "The" after the colon on page 2, line 2, and insert in lieu thereof the following: "there is hereby created a board, to be known and designated as the peninsula development board, to be composed of the".

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, strike out the numeral "4" and insert in lieu thereof the numeral "3".

AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, strike out the word "trustees" and in lieu thereof insert the word "board".

AMENDMENT NUMBER FIVE.

On page 2, line 8, of the printed bill, after the word "power" strike out the comma and the remainder of the line, and line 9 down to and including the word "duty".

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill, strike out the numeral "5" and insert in lieu thereof the numeral "4".

AMENDMENT NUMBER SEVEN.

On page 2, line 14, of the printed bill, strike out the word "trustees" and insert in lieu thereof the word "board".

AMENDMENT NUMBER EIGHT.

On page 2, line 17, of the printed bill, strike out the period after the syllable "ized" and insert the following: ", to carry out and perform the powers delegated to it under section 3 of this act".

AMENDMENT NUMBER NINE.

On page 2, line 18, of the printed bill, strike out the numeral "6" and insert in lieu thereof the numeral "5".

AMENDMENT NUMBER TEN.

On page 2, line 20, of the printed bill, strike out the word "district" and insert in lieu thereof the word "board".

AMENDMENT NUMBER ELEVEN.

On page 2, line 20, of the printed bill, strike out the word "forty" and in lieu thereof insert the words "twenty-five".

AMENDMENT NUMBER TWELVE.

On page 2, line 22, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 25, of the printed bill, strike out the words "twenty-five" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 27, of the printed bill, strike out the numeral "7" and insert in lieu thereof the numeral "6".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 27, of the printed bill, beginning with the word "This" after the period after the numeral "7", strike out the remainder of the line, and all of line 28, and insert in lieu thereof the following: "On or before January 1, 1925, the said board".

AMENDMENT NUMBER SIXTEEN.

On page 2, line 29, of the printed bill, strike out the word "their" and insert in lieu thereof the word "its".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 30, of the printed bill, after the word "with" insert the following: "the governor of the State of California, with".

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 31, of the printed bill, after the word "and" insert the word "with".

AMENDMENT NUMBER NINETEEN.

On page 2, line 32, of the printed bill, strike out the words "counties comprising the district", and insert in lieu thereof the following: "city and county of San Francisco and county of San Mateo".

AMENDMENT NUMBER TWENTY.

Add a new section to the bill, to be numbered section "7" and to read as follows: "This act shall be in force and effect only until the first day of July, 1925."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 447, with instructions to amend, respectfully reports the same back, amended as per instructions.

GODSIL, Special Committee.

Report read, and on motion of Senator Johnson, M. B., adopted.
Bill ordered to print, and re-engrossment.

Senate Bill No. 209—An act to amend sections 3, 4, 7, 8, 24, 25, 26, and 28 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

On motion of Senator Lyon, Senate Bill No. 209 was passed on file.

Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 143 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Osborne, Rush, Sample, Slater, Swing, and West—24.

NOES—Senators Breed, Chamberlin, Gates, E. J., Hart, Lyon, Nelson, Powers, and Rominger—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 390—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 390 refused passage by the following vote:

AYES—Senators Canepa, Dennett, Godsil, Gray, Hughes, Hurley, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, and Swing—15.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Handy, Hart, Ingram, Johnson, A. B. Johnson, M. B., Nelson, Powers, Sample, Slater, and West—20.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, and on page 2, lines 1 and 2 up to and including the word "road" following the word "said", strike out the words "thence along the exterior boundary of the lands of said district in such a way as to include the same, to a point in the abandoned portion of the Fairfax and Bolinas county road; thence northerly along said road" and insert in lieu thereof the following: "thence northwesterly, northeasterly, and easterly along the southwesterly and the northwesterly boundary line of the watershed lands of the said Marin municipal water district to a point therein where the boundary line of that certain tract of land known as the Lagunitas dairy tract crosses the old county road formerly leading from Fairfax to Bolinas; thence northerly along said road".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out the words "state highway between Alta and Belvedere" and insert in lieu thereof the following: "road or highway immediately south of Alta station, thence following the southerly line of said road or highway to its intersection with the southerly line of the state highway between Alto and Belvedere".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, insert before the word "to" the word "northerly".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, before the word "line" insert the words "and southwesterly".

Amendment adopted.

AMENDMENT NUMBER FIVE.

"On page 2, line 10, of the printed bill, after the word "highway" insert the words "to the end of said highway; thence southwesterly along the northwesterly line of the county road".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 792—An act to amend section 6260 of the Penal Code, relating to the shooting from moving boats.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 9, page 1, strike out the word "skull" and insert in lieu thereof the word "scull".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and

approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to the establishment of chambers by judges of the superior court in cities other than the county seat.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1159—An act to amend sections 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure, to be numbered 1297, relating to the posting of notices.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure, to be numbered 1751a, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 496—An act to amend section 927a of the Code of Civil Procedure, relating to the small claims court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities,

wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1324—An act to amend section 19.26 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the twenty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1356—An act to amend section 19f of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being

state board of control, as the case may be, together with an affidavit by such person that the expenditures represented by said receipts were necessarily made in the performance of duty. In every case where the expenses of such person so employed to bring back such fugitive as herein provided, are less than the amount advanced on the recommendation of the district attorney, such person so employed to bring back such fugitive shall return to the county treasurer the difference in amount between the aggregate amount of receipts so filed by him as herein provided and the amount advanced to such person upon the recommendation of the district attorney."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, after the word "employment" insert the following: "as shown by the statement of the prospective employer".

AMENDMENT NUMBER TWO.

On page 3, line 11, of the printed bill, after the word "agency" insert the following: "and knowingly".

Amendments adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes: prohibiting the use of second-hand boxes for packing such pastes: prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes: vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 277—An act to repeal section 3a of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the bill and substitute the following:

"An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this state and providing penalties and forfeitures for non-compliance," approved May 19, 1915, as amended, by amending sections 1, 6, 10 and 15 thereof, and to repeal sections 3a, 7 and 8 thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of lines 1 to 14, inclusive, and substitute the following:

"SECTION 1. Section 1 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this state and providing penalties and forfeitures for non-compliance," approved May 19, 1915, as amended, is hereby amended to read as follows:

Section 1. Every corporation organized under the laws of another state, territory, or of a foreign country, which is now doing intrastate business in this state or maintaining an office herein for such purpose, and which has not filed with the secretary of state prior to the day on which this act takes effect the document or documents required by this section, or which shall hereafter do such business in this state or maintain an office herein for such purpose or which shall enter this state for the purpose of doing such business herein, must file in the office of the secretary of state of the State of California a certified copy of its articles of incorporation, or of its charter, or of the statute or statutes, or legislative, or executive, or governmental act or acts creating it, in cases where it has been created by charter, or statute, or legislative, or executive, or governmental act, duly certified by the secretary of state or other officer authorized by the law of the jurisdiction under which such corporation is formed to certify such copy, and must also file a certified copy thereof, duly certified by the secretary of state of this state in the office of the county clerk of the county where its principal place of business in this state is located, and also where such corporation owns any real property. With such certified copy of its articles of incorporation, charter, or legislative, executive or governmental act creating it, such corporation shall also file with the secretary of state an affidavit sworn to by any officer of such corporation, which shall state the amount of such corporation's authorized capital stock at or within fifteen days prior to such filing. Every such corporation shall pay to the secretary of state for filing in his office such certified copy of its articles of incorporation, or of its charter, or of the statute or statutes, or legislative, or executive, or governmental act or acts creating it, a fee of seventy-five dollars; *provided*, that foreign corporations organized for educational, religious, scientific or charitable purposes and having no capital stock, and foreign nonprofit corporations shall pay a fee of five dollars for filing the document or documents hereinabove required. Such corporation shall also file any amendment of or change in any of the provisions of its original articles of incorporation, or charter, or of the statute or legislative, executive or governmental act or acts creating it. Every foreign corporation subject to the tax hereinafter provided shall file with the secretary of state, at the time it tenders payment of said tax and any penalty which has accrued, an affidavit sworn to by any officer showing the amount of its authorized capital stock on the first day of January of the year in which said payment is made and in the event that such authorized capital stock, as shown by such affidavit, differs from the amount of such capital stock as appears from the records of the secretary of state, then the tax hereinafter provided shall be measured by the amount of the capital stock shown in such affidavit. The license hereinafter required shall not be issued nor shall the amount so tendered be accepted until copies of any documents relating to such change in authorized capital stock, certified as required by this section, shall have been filed with the secretary of state.

Every foreign corporation shall file with the secretary of state a designation of some person residing within this state upon whom process issued by authority of law may be served as the representative, for such purpose, of such corporation. A copy of such designation certified by the secretary of state is sufficient evidence of the appointment of such representative. Such process may be served on the person so designated, or, in the event that no such representative is designated, then on the secretary of state, and such service shall be a valid and binding service on such corporation.

Every corporation subject to the provisions of this section and every such corporation hereafter becoming subject to the provisions thereof, which shall neglect or fail to file with the secretary of state as herein provided, shall be subject to a fine of not less than five hundred dollars to be recovered in any court of competent jurisdiction; and it is hereby made the duty of the secretary of state and of the

state board of equalization, when either may be advised that corporations are doing business in contravention of this section to report the fact to the attorney general of this state, who shall as soon as practicable institute proceedings to recover the fine provided for in this section, and the amount so recovered must be paid into the state treasury to the credit of the general fund of the state and it is hereby made the duty of the district attorney of any county in which any action shall be brought under the provisions of this act, to assist the attorney general in the prosecution thereof.

In addition to the penalty herein provided every contract made by or on behalf of any such foreign corporation affecting the personal liability thereof or relating to property within the state shall be held void on its behalf and on behalf of its assigns, but shall be enforceable against it or them.

Every corporation which complies with the provisions of this section is thereafter entitled to the benefit of the laws of this state limiting the time for the commencement of civil actions, but any corporation created by or under the laws of any foreign state or country and that has not complied with this section is not entitled to the benefit thereof, nor can any such foreign corporation maintain or defend any action or proceeding concerning its property in this state or any intrastate business or transaction, in any court of this state. In any action or proceeding instituted against any body styled as a corporation, but not created by nor under the laws of this state, evidence that such body has acted as a corporation, or employed methods usually employed by corporations, must be received by the court for the purpose of proving the existence of such corporation, the sufficiency of such evidence to be determined by the court with like effect as in other cases. Every corporation which has complied with the law requiring it to make and file a designation of the person upon whom process against it may be served, need not make or file any further designation. Any designation made may be revoked by the filing by the corporation with the secretary of state of a writing stating such revocation. Within forty days after the death or removal from the state of any person designated by the corporation, or after the revocation of the designation, the corporation must make a new designation, or be subject to the provisions and penalties of this section; *provided, however*, that any foreign corporation which, prior to the eighth day of March, one thousand nine hundred one, shall have complied with the provisions of the act entitled "An act to amend 'An act in relation to foreign corporations,' approved April 1, 1872," approved March 17, 1899, shall, in lieu of the provisions of this section above set forth, file the affidavit and designation of representative herein required and the license tax due from such corporation shall be measured by the authorized capital stock, as shown thereby.

Sec. 2. Section 3a of said act approved May 10, 1915, as amended, is hereby repealed. All penalties, forfeitures or suspensions purporting to have accrued against any corporations under and pursuant to the provisions of the section hereby repealed are hereby remitted and removed as if never incurred or accrued.

Sec. 3. Section 6 of said act approved May 10, 1915, as amended, is hereby amended to read as follows:

Sec. 6. Corporations organized for educational, religious, scientific or charitable purposes, corporations which are not organized for profit, and those corporations taxed under subdivisions (a), (b) and (c) of section fourteen of article thirteen of the constitution, are not subject to the tax prescribed by this act.

Sec. 4. Section 7 of said act approved May 10, 1915, as amended, is hereby repealed.

Sec. 5. Section 8 of said act approved May 10, 1915, as amended, is hereby repealed.

Sec. 6. Section 10 of said act approved May 10, 1915, as amended, is hereby amended to read as follows:

Sec. 10. The license tax provided in section 3 of this act is a lien upon the real property of any corporation subject thereto from and after the first day of January of each year and until paid or until the property is sold for the payment thereof. On or before the first Monday in April of each year the secretary of state shall make a list of all corporations subject to the tax imposed by or that should have been paid under this act and which have failed to pay the same, and transmit a certified copy thereof to each county clerk and county recorder in this state. Said county clerks and county recorders shall file such certified copies in their respective offices in such manner that the same shall be preserved in the form of a permanent record of such office and easily identified by and available to the public. Said copies so certified by the secretary of state and filed as herein provided shall, in the case of each corporation, state whether such corporation is a domestic or foreign corporation and specify the tax and penalties which each corporation has incurred for failure to pay the tax imposed by this act. Such certified copies so filed with either of said county officers, or any copy thereof certified by the secretary of state, shall be received in evidence in any court in lieu of the original record on file with the secretary of state and shall be prima facie evidence of the truth of all statements contained therein.

Sec. 7. Section 15 of said act approved May 10, 1915, as amended, is hereby amended to read as follows:

Sec. 15. Any foreign corporation may file with the secretary of state a certificate, signed by its president or vice president or secretary or assistant secretary, setting forth that it has ceased to do intrastate business in this State and that it thereby surrenders its right to engage in such business, and thereupon the right of such corporation to transact such business shall terminate and it shall not thereafter be subject to the tax herein prescribed. It shall be unlawful for any such corporation to exercise its corporate powers in transacting any intrastate business in this State after the filing of such certificate. Each and every person who exercises any of the powers of such corporation in the transaction of intrastate business or who transacts any intrastate business for or in behalf of such corporation after such filing shall be subject to penalties prescribed by section eleven of this act.

Any such corporation may resume the transaction of intrastate business in this State at any time thereafter upon filing its application for a license therefor with the secretary of state and an affidavit by its president or secretary setting forth the amount of its authorized capital stock, and copies of any documents authorizing changes in capital stock not of record in his office, which copies shall be certified as herein provided, and upon paying a tax for the unexpired portion of the year which shall be measured by its authorized capital stock and which shall be that portion of the license tax specified in section 3 of this act which the unexpired number of months of such year, including the month in which such license is issued, bears to the entire year."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1659—An act to appropriate money in the State treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund."

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class.

Assembly Bill No. 80 passed on file.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Assembly Bill No. 1051 passed on file.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Murphy, the further consideration of the motion to reconsider the vote whereby Assembly Constitutional Amend-

ment No. 6 was refused adoption was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Chamberlin moved to reconsider the vote whereby Assembly Bill No. 478 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Chamberlin, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 478 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 85 was passed was continued until the next legislative day.

RE-REFERENCE OF BILL.

On motion of Senator Boggs, Assembly Bill No. 229 was ordered re-referred to Committee on Irrigation.

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Assembly Bill No. 471 passed on file.

Assembly Bill No. 472—An act to amend section 1588 of the Political Code, relating to the appointment and election of union and joint union elementary school trustees.

Assembly Bill No. 472 passed on file.

Assembly Bill No. 473—An act to amend sections 1589, 1589a, 1590, 1591, 1591a of the Political Code, and to repeal section 1589b of the Political Code, relating to union elementary school districts.

Assembly Bill No. 473 passed on file.

Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 260 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—30.

NOES—Senators Chamberlin, and Rominger—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts.

Assembly Bill No. 685 passed on file.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carr moved to refer Assembly Bill No. 1293 to Senator Canepa, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended May 4, 1923, after the word "with" and before the word "direction" insert the word "the"

AMENDMENT NUMBER TWO.

Strike out all of lines 6 to 8, inclusive, page 1 of the printed bill as amended May 4, 1923, and insert in lieu thereof the following: "do or cause any such work, except maintenance and emergency work, costing in excess of ten thousand dollars to be done by days labor or force account without first preparing".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1293, with instructions to amend, respectfully reports the same back, amended as per instructions.

CANEPA, Special Committee.

Report read, and on motion of Senator Carr, adopted.

Bill ordered to print.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

Assembly Bill No. 749 passed on file.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Assembly Bill No. 13 passed on file.

Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 900 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, E. J. Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hughes moved to refer Assembly Bill No. 783 to Senator Osborne as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "February" insert a comma.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "except" and insert in lieu thereof the word "including".

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the word "this" insert the word "shall".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 783, with instructions to amend, respectfully reports the same back, amended as per instructions.

OSBORNE, Special Committee.

Report read, and on motion of Senator Hughes, adopted.

Bill ordered to print.

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23a of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 31 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Osborne, Powers, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Assembly Constitutional Amendment No. 31 ordered transmitted to the Assembly.

Assembly Bill No. 1116—An act to amend section 633b of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1116 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and Swing—30.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 336 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district.

Assembly Bill No. 979 passed on file.

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903." and all acts amending or supplementing said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 430 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILLS.

On motion of Senator Inman, Assembly Bill No. 1322 was ordered taken from the file and re-referred to Committee on Judiciary.

On motion of Senator Carr, Senate Bill No. 452 was ordered re-referred to Committee on Municipal Corporations.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 51 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Dennett, Eden, Gates, Dr., Handy, Hart, Hughes, Human, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Reminger, Rush, Sample, Slater, and Swing—29.

NOES—None.

Assembly Constitutional Amendment No. 51 ordered transmitted to the Assembly.

Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1333 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Human, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and Swing—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

Assembly Bill No. 320 passed on file.

Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 142 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes,

Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and Swing—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*d*, relating to cooperative business corporations or associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 432 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 488—An act to amend section 19*x*12 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 488 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 547—An act to amend section 19*x*32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the

probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 15, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 547 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—34.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1118 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—34.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 23 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—31.

NOES—Senator Crowley—1.

Senate Constitutional Amendment No. 23 ordered transmitted to the Assembly.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Dennett moved to refer Assembly Bill No. 1166 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On line 1 of the title of the printed bill as amended, after the word "section" insert the words "two thousand nine hundred twenty-four and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill as amended in the Senate, after line 12, insert the following:

"Sec. 2. Section two thousand nine hundred twenty-four of the Civil Code is hereby amended to read as follows:

Sec. 2924. Every transfer of an interest in property, other than in trust, made only as a security for the performance of another act, is to be deemed a mortgage, except when in the case of personal property it is accompanied by actual change of possession, in which case it is to be deemed a pledge."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1166, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and on motion of Senator Dennett, adopted.

Bill ordered to print.

Assembly Bill No. 117—An act to amend section 4269 of the Political Code relating to salaries, fees and expenses of officers in counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 117 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and Swing—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 490 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1096 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Sample, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILLS.

On motion of Senator Hurley, Senate Bill No. 720 was ordered re-referred to Committee on Military Affairs.

HOOR OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until one o'clock and fifteen minutes p.m.

RECESS.

At one o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Joseph A. Beek, Secretary of the Senate at the desk.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Slater.

Relative to the commemoration of the Luther Burbank Golden Jubilee in Santa Rosa, California, May 17, 18, 19, and 20, 1923.

WHEREAS, In the city of Santa Rosa, State of California, May 17, 18, 19, and 20, 1923, there will be commemorated the fiftieth anniversary of Luther Burbank's great work for the world at large in the production of so many valuable creations in flowers, fruits, plants, cereals, vegetables and other forms of plant life; and

WHEREAS, We, in common with the civilized world, gratefully acknowledge the scope and usefulness of Mr. Burbank's labor during the half century that has elapsed since he first gave to mankind a famous token of his genius; therefore, be it

Resolved, By the Senate of the State of California, in session this tenth day of May, 1923, that we hereby sincerely congratulate Mr. Burbank on the attainment of his golden jubilee as a creator of plant life and we trust that he will be spared for many years to come to continue his activities to the end that the world may be more ennobled and enriched, and we congratulate the citizenry of Santa Rosa, Sonoma County, California, and the country at large in their effort to appropriately commemorate this event of worldwide interest, which we trust will be crowned with success and a full measure of the significance to which such a celebration is entitled.

Resolution read, and on motion of Senator Slater adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Assembly Joint Resolution No. 2 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydro-carbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 323—An act appropriating money to pay the claim of the Voorhes Investment Company against the State of California;

Also: Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building;

Also: Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the supreme court;

Also: Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California;

Also: Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College;

Also: Senate Bill No. 246—An act to repeal section 16 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended; And reports that the same have been correctly engrossed.

Also:

GATES, DR., Chairman.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 17—Relative to the increase of armament—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 452—An act to amend an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass.

(Signed out)

CARR, Chairman.
LYON.
CHAMBERLIN.
HURLEY.
SHARKEY.
LEWIS.
GRAY.

Senate Bill No. 452 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIFTY-TWO.

Senate Bill No. 452—An act to amend an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "amend" insert the following: "section seven of, and to add a new section to be numbered two *a* to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period add the following:

"A new section is hereby added to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended, to be numbered two *a* and to read as follows:

Sec. 2*a*. Whenever any of the work contemplated in this act is proposed to be done upon any street, road or highway forming the boundary line between adjoining cities, whether owned entirely by one of such cities or in part by one city and in part by the other or whenever such work connects directly with the same kind of work in an adjoining city all of such proposed work may be done by one of such cities with the consent of the other expressed either by ordinance or resolution of the governing body of such city; and for the purpose of issuing bonds, levying assessments for the payment of such work and for all other proceedings provided for in this act the property of the adjoining city abutting on such street or road or to be included in the district to be assessed for such work shall be considered the same as though such property were within the limits of the said city levying such assessment, issuing such bonds or by which such proceedings are taken.

Sec. 2. Section seven of said act approved March 18, 1885, as amended is hereby amended to read as follows:

Sec. 7. *Subdivision one*. The expenses incurred for any work authorized by this act which (expense shall not include the cost of any work done in such portion

of any street as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, nor include work which shall have been declared in the resolution of intention to be assessed on a district benefited) shall be assessed upon the lots and lands fronting thereon, except as herein specifically provided; each lot or portion of a lot being separately assessed, in proportion to the frontage, at a rate per front foot sufficient to cover the total expense of the work.

Subdivision two. The expense of the work done on main street crossings shall be assessed at a uniform rate per front foot of the quarter blocks and irregular blocks adjoining and cornering upon the crossings, and separately upon the whole of each lot or portion of a lot having any frontage in the said blocks fronting on said main streets, half way to the next main street crossing, and all the way on said blocks to a boundary line of the city where no such crossing intervenes, but only according to its frontage in said quarter blocks and irregular blocks.

Subdivision three. Where a main street terminates in another main street, the expenses of the work done on one-half of the width of the street opposite the termination shall be assessed upon the lots in each of the two quarter blocks adjoining and cornering on the same according to the frontage of such lots on said main streets, and the expense of the other half of the width of said street upon the lot or lots fronting on the latter half of the street at such termination.

Subdivision four. Where any alley or subdivision street crosses a main street, the expense of all work done on said crossing shall be assessed on all lots or portions of lots half way on said alley or subdivision street to the next crossing or intersection, or to the end of such alley or subdivision street, if it does not meet another.

Subdivision five. The expense of work done on alley or subdivision street crossings shall be assessed upon the lots fronting upon such alley or subdivision streets on each side thereof, in all directions, half way to the next street, place or court, on either side, respectively, or to the end of such alley or subdivision street, if it does not meet another.

Subdivision six. Where a subdivision street, avenue, lane, alley, place or court terminates in another street, avenue, lane, alley, place or court, the expense of the work done on one-half of the width of the subdivision street, avenue, lane, alley, place or court opposite the termination, shall be assessed upon the lot or lots fronting on such subdivision, street, avenue, lane, alley, place or court so terminating, according to its frontage thereon, half way, on each side, respectively, to the next street, avenue, lane, alley, place or court or to the end of such street, avenue, lane, alley, place or court, if it does not meet another, and the other one-half of the width upon the lots fronting such termination.

Subdivision seven. Where any work mentioned in this act (manholes, sewers, cesspools, culverts, crosswalks, piling and capping excepted) is done on one side of the center line of any street or sewerage or resewering is ordered to be done under the sidewalk on only one side of any street for any length thereof, the assessment for the expenses thereof shall be made only upon the lots and lands fronting nearest upon that side of the street and for intervening intersections only upon the two quarter blocks adjoining and cornering upon that side.

Subdivision eight. Whenever any lot, piece or parcel of land belonging to the State of California, or any lot, piece or parcel of land belonging to any county, city, public agent, mandatory of the government, school board, educational, penal or reform institution, or institution for the feeble-minded, or the insane, fronts upon the proposed work or improvement, or is included within the district declared by the city council in the resolution of intention to be the district to be assessed to pay the costs and expenses thereof, the city council may, in its discretion, in the resolution of intention, declare that said lots, pieces or parcels of land so owned, or any of them, shall be omitted from the assessment to be made to cover the costs and expenses of said work or improvement. In the event that said lots, pieces or parcels of land, or any of them, shall by said resolution be omitted from the assessment, then the total expense of all work done shall be assessed on the remaining lots fronting on the work or improvement, or lying within the limits of the assessment district without regard to such omitted lots, pieces or parcels of land, and in the event any such lot, piece or parcel of land be not so omitted from the assessment, then any sum or sums thereafter assessed against the same shall be payable by the county or city owning the same, or by such public agent, mandatory of the government, school, board, educational, penal or reform institution, or institution for the feeble-minded, or the insane, where such agent, mandatory, board or institution, is authorized by law to possess, control and administer its own funds; and if such agent, mandatory or institution be not so authorized by law then the assessments upon such lots, pieces or parcels of land, shall be paid out of the general fund of the city, or such other fund as the council may designate; *provided, however,* that where any lot, piece or parcel of land belonging to the United States is included in the assessment district, the same shall be omitted from the assessment, unless the council shall declare in the ordinance of intention that such lot, piece or parcel, shall be included in the assessment, and that the amount thereafter assessed against the same shall be paid out of the general or other fund of the city.

Subdivision nine. It shall be lawful for the owner or owners of lots or lands fronting upon any street, the width and grade of which have been established by the

city council, to perform, at his or their own expense (after obtaining permission from the council so to do, but before said council has passed its resolution of intention to order grading inclusive of this), any grading upon said street, to its full width, or to the center line thereof, and to its grade as then established, and thereupon to procure, at his or their own expense, a certificate from the city engineer, setting forth the number of cubic yards of cutting and filling made by him or them in said grading, and the proportions performed by each owner, and that the same is done to the established width and grade of said street, or to the center line thereof, and thereafter to file said certificate with the superintendent of streets, which certificate the superintendent shall record in a book kept for that purpose in his office, properly indexed. Whenever thereafter the city council orders the grading of said street, or any portion thereof, on which any grading certified as aforesaid has been done, the bids and contracts must express the price by the cubic yard for cutting and filling in grading; and the said owner or owners and his or their successors in interest, shall be entitled to credit, on the assessment upon his or their lots and lands fronting on said streets for the grading thereof to the amount of the cubic yards of cutting and filling set forth in his or their certificate, at the prices named in the contract for said cutting and filling; or, if the grade meanwhile has been duly altered, only for so much of said certified work as would be required for grading to the altered grade; *provided, however*, that such owner or owners shall not be entitled to such credit as may be in excess of the assessments for grading upon the lots and lands owned by him or them, and proportionately assessed for the whole of said grading; and the superintendent of streets shall include in the assessment for the whole of said grading upon the same grade the number of cubic yards of cutting and filling set forth in any and all certificates so recorded in his office, or for the whole of said grading to the duly altered grade so much of said certified work as would be required for grading thereto, and shall enter upon corresponding credits, deducting the same as payments upon the amounts assessed against the lots and lands owned, respectively, by said certified owners and their successors in interest; *provided, however*, that he shall not so include any grading quantities or credit any sums in excess of the proportionate assessments for the whole of the grading which are made upon any lots and lands fronting upon said street and belonging to any such certified owners or their successors in interest. Whenever any owner or owners of any lots and lands fronting on any street shall have heretofore done, or shall hereafter do any work (except grading), on such street, in front of any block, at his or their own expense, and the city council shall have subsequently ordered any work to be done of the same class in front of the same block, said work so done at the expense of such owner or owners shall be excepted from the order ordering the work to be done; *provided*, that the work so done at the expense of such owner or owners, shall be upon the official grade, and in condition satisfactory to the street superintendent at the time said order is passed.

Subdivision ten. Whenever the resolution of intention declares that the cost and expenses of the work and improvement are to be assessed upon a district, the city council shall direct the city engineer to make a diagram of the property affected or benefited by the proposed work or improvement, as described in the resolution of intention, and to be assessed to pay the expenses thereof. Such diagram shall show each separate lot, piece or parcel of land, the area in square feet of each of such lots, pieces or parcels of land, and the relative location of the same to the work proposed to be done, all within the limits of the assessment district; and when said diagram shall have been approved by the city council, the clerk shall, at the time of such approval, certify the fact and date thereof. Immediately thereafter the said diagram shall be delivered to the superintendent of streets of said city, who shall, after the contractor of any street work has fulfilled his contract to the satisfaction of said superintendent of streets or city council, on appeal, proceed to estimate upon the lands, lots or portions of lots within said assessment district, as shown by said diagram, the benefits arising from such work, and to be received by each such lot, portion of such lot, piece, or subdivision of land, and shall thereupon assess upon and against said lands in said assessment district the total amount of the costs and expenses of such work, and in so doing shall assess said total sum upon the several pieces, parcels, lots, or portions of lots, and subdivisions of land in said assessment district benefited thereby, to wit: Upon each, respectively, in proportion to the estimated benefits to be received by each of said several lots, portions of lots, or subdivisions of land. In other respects the assessment shall be as provided in the next section.

Subdivision eleven. The terms lot, lots, lands, piece or parcel of land wherever mentioned in this act shall be deemed to include and shall include property owned or controlled by any person, firm or corporation as a railroad, street or interurban railroad, right of way; and wherever a railroad, street or interurban railroad right of way shall front or abut on any street improved under the provisions of this act or shall be included within any district to be assessed for the cost of any improvement provided in this act, such railroad right of way (whether the same is owned in fee or as an easement) shall be included in the warrant, assessments, and diagram and shall be assessed in the same manner and with the same effect as other lots, lands or pieces or parcels of land are assessed as provided in this act and such railroad right of way shall be subject to sale for nonpayment of assessments as in this act provided.

Subdivision twelve. Whenever any railroad track or tracks of any description exist upon the street or streets upon which the city council of any city has ordered an improvement to be made, and has excepted therefrom the portions used by the track, between the rails and for two feet on each side thereof, and between the tracks if there be more than one, the said order, unless said city council shall by resolution theretofore passed have declared the contrary, shall be deemed to be and constitute a requirement that the person or company having said railroad track or tracks thereon shall improve the said portion with improvements similar in all respects to, with the same materials, under the same specifications and superintendence, and to the like satisfaction as those ordered to be performed by said order ordering the work, and the resolution of intention and notice of proposed improvement shall be construed and are hereby declared to be notice to said person or company of the intention to order the same. Thereupon it shall be the duty of said person or company having such track or tracks on such street or streets to notify in writing the superintendent of streets if such person or company elects to perform such work at its own charge and expense and under its own direction; said notice must be delivered to the superintendent of streets within ten days after the first publication of notice or award of contract. The omission or neglect to make such election shall be construed as constituting the superintendent of streets the agent of the owner of said track or tracks, with authority to enter into a contract made in accordance with the provisions of this section for making the said improvements. Said superintendent of streets shall advertise for bids for the improvement of said portions of street or streets lying between the rails and for two feet on each side thereof, and between the tracks, if there be more than one. It shall be the duty of said city council to award the contract for the making of said improvements to the lowest regular responsible bidder. Such bidding and awarding of contracts shall be made in the same manner hereinbefore provided for the awarding of contracts for improvements, excepting that no notice of award shall be published. Immediately upon the award, the superintendent of streets shall enter into a contract with the person to whom said contract was awarded for the making of said improvement or improvements upon the portions of the street or streets described in said notice inviting bids, and at the price stated in said bid. The contractor shall execute bonds in the manner required for the execution of contracts for improvements. Upon the completion of the work and its acceptance, the street superintendent shall make a certificate of such completion together with a statement of the amount due under the terms of said contract for the performance of said work. Such certificate shall be countersigned by the mayor of said city, and shall be recorded in the office of said superintendent of streets. The contractor shall thereupon be entitled to payment of the full amount of said contract price, and the recording of such certificate shall be sufficient notice to the owner of such track or tracks that said contract price is due and payable. In the event that such amount is not paid within thirty days from the date of the recording of said certificate the contractor may file a sworn statement to that effect with the superintendent of streets, who shall record the same in his office in the book in which the certificate of acceptance has been recorded. Said contractor shall thereupon have a cause of action against said person or company owning said track or tracks for the amount of said contract, together with a reasonable attorney's fee, and shall also have as security for the recovery of such amount, a first lien upon the track and franchises of said person or company, between whose rails or tracks the said work has been performed, contained within the corporate limits of said city. In such suit, the certificate of the superintendent of streets, hereinbefore mentioned, shall be and constitute prima facie evidence of the regularity of all proceedings, and of the right of the contractor to recover judgment against said person or company. Execution may be taken out upon the entry of judgment, and levied upon any property of said person or company subject to execution. In the event that said person or company shall file the written election to perform such work at its own cost and expense and under its own direction, no further proceedings shall be taken in the matter unless such person or company neglects or fails for thirty days, or for such further time as the city council may grant, to make said improvement. In the event that the improvement of the portions of the street or streets above described, between the rails for two feet on each side thereof, and between the tracks if there be more than one, shall not be made with diligence, or in all respects similar to the improvement of the rest of the street, or with the same materials or under the same specifications, and to the satisfaction of the superintendent of streets, the city council of said city may, by resolution entered in its minutes, prescribe such terms and conditions as to it may seem fit and proper before permitting the said person or company to continue with the said improvement. If the said person or company shall, after three days' notice of the adoption of said resolution, fail to comply with the terms and conditions so prescribed, the said city council may declare said person or company to have forfeited its privilege of performing such work under its own direction. Whereupon the street superintendent shall advertise for bids for the performance of such work, or such portions thereof as may remain uncompleted, and the contract therefor shall be awarded and entered into in the same manner hereinbefore provided for the awarding and execution of contracts where said person or company has not elected to make the improvement under its own direction; and upon the completion of the

improvement, the contractor to whom such contract may be awarded, or his assigns, shall be entitled to a certificate from the street superintendent similar to that heretofore provided for, and shall have the right to collect from said person or company by suit the amount specified in such certificate in all respects the same as is heretofore provided where the contract is let for such improvement in the first instance.

Subdivision thirteen. The said council may include in one resolution of intention and order any of the different kinds of work mentioned in this act, and may include any number of streets and rights of way or portion thereof in one proceeding and one contract, and it may except therefrom any of said work already done upon the street to the official grade. The lots and portions of lots fronting upon said accepted work already done shall not be included in the frontage assessment for the class of work from which the exception is made; *provided*, that this shall not be construed so as to affect the special provisions as to grading contained in this act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

SENATOR HUGHES IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Senator Hughes of the seventeenth district was called to the chair.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS —
(OUT OF ORDER).

Senate Joint Resolution No. 17—Relative to the increase of armament.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 17 adopted by the following vote:

AYES—Senators Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Johnson, M. B., Lewis, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—23.

NOES—None.

Senate Joint Resolution No. 17 ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Allen was, upon request of Senator Creighton, excused at three o'clock and thirty minutes p.m. for remainder of this legislative day.

Senator Lyon was, upon request of Senator Rominger, excused at three o'clock and thirty minutes p.m. for the remainder of this legislative day.

Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, Crowley, Eden, Godsil, Gray, Handy, Hart, Hughes, Hurley, Inman, Johnson, M. B., Jones, Murphy, Nelson, Osborne, Powers, Sharkey, Slater, Swing, and West—22.

NOES—Senators Chamberlin, and Rominger—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 246—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

On motion of Senator West, Senate Bill No. 246 was passed on file.

Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson, A. B., moved to refer Senate Bill No. 48 to Senator Chamberlin as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, beginning with the word "all" after the period after the numeral "10", strike out all of said line, and all of lines 4 to 46, both inclusive, and insert in lieu thereof the following:

"All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the northerly boundary line of the city of Berkeley intersects the northeasterly boundary line of the county of Alameda; thence westerly along said northern boundary line of the city of Berkeley to a point where the same is coincident with the center line of Eunice street; thence westerly along the center line of Eunice street to the center line of Milvia street; thence southerly along the center line of Milvia street to the center line of Adeline street; thence southerly along the center line of Adeline street to the northerly boundary line of the town of Emeryville; thence easterly, southerly and westerly, following the boundary line of the town of Emeryville to the center line of San Pablo avenue; thence southerly along the center line of San Pablo avenue to the center line of Broadway; thence southerly along the center line of Broadway to the northern boundary line of Alameda township; thence westerly along the line dividing Alameda and Oakland townships to the western boundary line of the county of Alameda; thence northerly along the said county boundary line to the northern boundary line of the county of Alameda; thence easterly following the northern and northeasterly boundary line of the county of Alameda to the point of beginning, shall constitute the twelfth senatorial district."

AMENDMENT NUMBER TWO.

On page 2, line 47, of the printed bill, beginning with the word "All" after the period after the numeral "11", strike out all of said line, and all of lines 48 to 52, both inclusive, and on page 3 of the printed bill, all of lines 1 to 31, inclusive, and insert in lieu thereof the following:

"All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the northern boundary line of the city of Berkeley intersects the northeasterly boundary line of the county of Alameda; thence westerly along said northern boundary line of the city of Berkeley to a point where the same is coincident with the center line of Eunice street; thence westerly along the center line of Eunice street to the center line of Milvia street; thence southerly along the center line of Milvia street to the center line of Adeline street; thence southerly along the center line of Adeline street to the northerly boundary line of the town of Emeryville; thence easterly, southerly and westerly following the boundary line of the town of Emeryville to the center line of San Pablo avenue; thence southerly along the center line of San Pablo avenue to the center line of Broadway; thence southerly along the center line of Broadway to the northern boundary line of Alameda township; thence easterly along the northern boundary line of Alameda township to the westerly line of Brooklyn township, the same being a point in Oakland harbor; thence northerly along the westerly boundary line of Brooklyn township, passing through the easterly arm of Lake Merritt and up Indian gulch to the southern boundary line of the city of Piedmont; thence easterly, northerly, and northwesterly following eastern and northern boundary line of the city of Piedmont; to the line dividing Brooklyn and Oakland townships; thence northeasterly along the last said township line to the boundary line of Alameda county; thence northwesterly along the said county boundary line to the point of beginning, shall constitute the fifteenth senatorial district."

AMENDMENT NUMBER THREE.

On page 3, line 32, of the printed bill, after the period after the numeral "12" beginning with the word "All" strike out all of said line, and all of lines 33 to 52, both inclusive, and on page 4 of the printed bill, all of lines 1 to 13 inclusive, and insert in lieu thereof the following:

"All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the westerly boundary line of the county of Alameda is intersected by the line dividing Oakland and Alameda townships; thence easterly along said dividing line to a point in Oakland harbor where said line is intersected by the line dividing Oakland and Brooklyn townships; thence northerly along the westerly boundary line of Brooklyn township, passing through the easterly arm of Lake Merritt and up Indian Gulch to the northeasterly boundary line of East Oakland Heights; thence southeasterly along said last boundary line to the center of Thirteenth avenue; thence northeasterly along center line of Thirteenth avenue, or county road to Moraga valley, to the center line of East Thirty-eighth street; thence easterly along the center line of said East Thirty-eighth street to center line of Fourteenth avenue; thence southerly along the center line of Fourteenth avenue to the center line of Lincoln street; thence easterly along the center line of Lincoln, or East Thirty-first street, to the center line of Twenty-third avenue; thence southerly along the center line of Twenty-third avenue to the center line of Sherman street; otherwise known as old county road; thence easterly along said old county road to the center line of High street; thence along the center line of Foothill road, or county road No. 3358, to the center line of Grand, or Ninetieth avenue; thence southerly along said line of Ninetieth avenue, crossing East Fourteenth street to "B" or Second street; thence easterly along said "B" street to the center line of Jones, or Ninety-eighth avenue; thence southerly along the center line of Jones, or Ninety-eighth avenue, to the center line of county road No. 1995; thence southerly along center line of county road No. 1995 to the line dividing Brooklyn and Eden townships; thence westerly along said township line to the line dividing Brooklyn and Alameda townships; thence southerly and westerly along the boundary line of Alameda township to the westerly boundary line of Alameda county; thence northwesterly along the westerly county boundary line to the southerly boundary line of Oakland township and the point of beginning, shall constitute the fourteenth senatorial district."

AMENDMENT NUMBER FOUR.

On page 4, line 14, of the printed bill, after the period after the numeral "13", beginning with the word "All" strike out all of said line, and all of lines 15 to 37, both inclusive, and insert in lieu thereof the following:

"All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the line dividing Oakland and Brooklyn townships intersects the northeasterly boundary line of the county of Alameda; thence southwestwardly along said dividing line to the northeasterly boundary line of the city of Piedmont; thence southeasterly, southerly and westerly following the northern, eastern and southern boundary line of the city of Piedmont to a point where the said southern boundary line of the city of Piedmont intersects the line dividing Oakland and Brooklyn townships; thence southwestwardly along said township line to the northwestern boundary line of East Oakland heights; thence southeasterly along said boundary line to the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue, or the county road to Moraga valley, to the center line of East Thirty-eighth street; thence easterly along the center line of East Thirty-eighth street to the center line of Fourteenth avenue; thence southerly along the center line of Fourteenth avenue to the center line of Lincoln street; thence easterly along the center line of Lincoln or East Thirty-first street to the center line of Twenty-third avenue; thence southerly along the center line of Twenty-third avenue to the center line of Sherman street, otherwise known as the old county road; thence easterly along said old county road to the center line of High street; thence easterly along center line of the Foothill road, or county road number 3358, to the center line of Grand, or Ninetieth avenue; thence southwestwardly along said line of Ninetieth avenue, crossing East Fourteenth street to the center line of "B," or Second street; thence easterly along said "B" street to the center line of Jones, or Ninety-eighth avenue; thence southerly along the center line of Jones, or Ninety-eighth avenue, to the center line of county road No. 1995; thence southerly along the center line of county road No. 1995 to the line dividing Brooklyn and Eden townships; thence westerly along said township line to the line dividing Brooklyn and Alameda townships; thence southerly and westerly along the boundary line of Alameda township to the westerly boundary line of Alameda county; thence southerly along said westerly boundary line to its intersection with the northerly boundary line of Santa Clara county; thence easterly along the boundary line dividing Alameda and Santa Clara counties to a point which is the intersection of the boundary lines of the counties of Alameda, Santa Clara, Stanislaus and San Joaquin; thence northwesterly and northerly along the boundary line between the counties of Alameda and San Joaquin to a point where the boundary line dividing the counties of Alameda and Contra Costa intersects the westerly boundary

line of the county of San Joaquin; thence in a southwesterly and northwesterly direction along the boundary line between the counties of Alameda and Contra Costa to the point of beginning, shall constitute the thirteenth senatorial district."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 48, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

The question being on the adoption of the report of the Special Committee of One.

POINT OF ORDER.

Senator Chamberlin raised the point of order that Senator Murphy was not confining his remarks to the report of the Committee of One amending Senate Bill No. 48, the question before the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

POINT OF ORDER.

Senator Sample raised the point of order that Senator Murphy was not talking to the question before the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

APPEAL FROM DECISION OF CHAIR.

Senator Chamberlin appealed from the decision of the chair.

DECISION OF CHAIR SUSTAINED.

The President put the question, "Shall the decision of the chair be sustained?"

The Senate voted to sustain the decision of the chair.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Crowley, and Murphy, upon the adoption of the report of the Committee of One. Whereupon the Secretary was directed to call the roll.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote. Senator Johnson, A. B., moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

The Secretary announced the absentees.

Time, four o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 696 to Senator Jones as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill as amended May 3, 1923, after the word "that" insert the following: "until September 1, 1925,".

AMENDMENT NUMBER TWO.

On page 2, line 35, of the printed bill as amended May 3, 1923, preceding the word "in" insert the following: "that until September 1, 1925,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 696, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Special Committee.

Report read, and on motion of Senator Inman, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 376 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Carr, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 323—An act appropriating money to pay the claim of the Voorhies Investment Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 323 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 745 passed by the following vote:

AYES—Senators Breed, Canepa, Crowley, Dennett, Gates, Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, and Swing—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Johnson, A. B.

The Secretary was directed to call the roll, on adoption of the amendments, of the Senators who had not answered to their names.

The roll was called, and the report of the Committee of One refused adoption by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Carr, Chamberlin, Dennett, Eden, Gates, E. J., Hart, Hughes, Johnson, A. B., Lewis, Rominger, Sample, Swing, and West—16.

NOES—Senators Canepa, Creighton, Crowley, Gates, Dr., Godsil, Gray, Handy, Hurley, Ingram, Inman, Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Sharkey, and Slater—19.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Senate Bill No. 48 to Senator Osborne, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 8, line 35, of the printed bill, strike out the words "and Inyo".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 48, with instructions to amend, respectfully reports the same back, amended as per instructions.

OSBORNE, Special Committee.

Report read, and on motion of Senator Swing, adopted.

Bill ordered to print, and re-engrossment.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be

known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921; and relating to the taking effect of this act—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act', to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Murphy moved to refer Senate Bill No. 739 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 49, of the printed bill, strike out the word "eighty" and insert in lieu thereof the word "eighteen".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 739, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Murphy, bill ordered to print and re-engrossment.

Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydrocarbon deposits and providing for the disposition of moneys under said leases, and creating a commission to carry out the provisions of this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 746 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "governor" and insert in lieu thereof the words "attorney general".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 746, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Jones, bill ordered to print and re-engrossment.

Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 747 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, and Swing—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 613—An act declaring property used in conducting lotteries, or for any purpose connected therewith, a nuisance, and providing for the abatement thereof.

On motion of Senator Inman, Senate Bill No. 613 was passed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended. Committee membership—9; committee vote—Ayes: 6; absent—3.

SWING, Chairman.

Assembly Bill No. 361 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 551 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroads and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and

collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof -has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

OSBORNE, Chairman.
NELSON.
SAMPLE.
INMAN.
HURLEY.
SWING.
LEWIS.
GODSIL.

Assembly Bill No. 1286 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 483—An act to require all public service corporations to make a report to the Railroad Commission of the expenditures from any surplus or contingent fund and limiting the purposes for which such funds can be used—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

INMAN, Chairman.

Senate Bill No. 483 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-THREE.

Senate Bill No. 483—An act to require all public service corporations to make a report to the Railroad Commission of the expenditures from any surplus or contingent fund and limiting the purposes for which such funds can be used.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title after the words "An act to" strike out all of the remainder of the title, and insert in lieu thereof the following: "Amend section twenty-nine of an act entitled 'An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "railroad commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title fifteen of part four of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act.' Approved April 23, 1915, as amended."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the printed bill, after the period, insert the following:

"Section twenty-nine of an act entitled 'An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "railroad commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title fifteen of part four of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act.'" Approved April 23, 1915, as amended, is hereby amended to read as follows:

Sec. 29. (a) Every public utility shall annually furnish to the commission at such time and in such form as the commission may require a report in which the utility shall specifically answer all questions propounded by the commission upon or concerning which the commission may desire information. The commission shall

have authority to require any public utility to file monthly reports of earnings and expenses, and to file periodical or special or both periodical and special reports concerning any matter about which the commission is authorized by this or any other act to inquire or to keep itself informed, or which it is required to enforce. All reports shall be under oath when required by the commission.

(b) Every annual report filed with the commission in pursuance of the provisions of subdivision (a) of this section shall contain in addition to any other matters which may be required by the commission, a complete list containing the names and addresses, of all stockholders of the reporting public utility, together with the number of shares held by each such stockholder upon such date preceding the filing of said annual report as the commission may specify. In said list, the names and addresses and number of shares held by residents of the State of California shall be grouped by counties."

Amendment adopted.

Read second time, and ordered to print, engrossment, and on file for third reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as case of urgency, Assembly Bill No. 1339—An act making an appropriation to defray the expenses of legislative printing for the forty-fifth session of the Legislature of the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 1339 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville;

Also: Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California;

Also: Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles national forest, and to make an appropriation therefor;

Also: Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737p, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith;

Also: Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California;

Also: Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California;

Also: Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California;

Also: Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 73Sc, relating to the salary of superior judges in counties of the forty-sixth class;

Also: Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 178 read first time, and referred to Committee on Finance.

Assembly Bill No. 183 read first time, and referred to Committee on Finance.

Assembly Bill No. 188 read first time, and referred to Committee on Conservation.

Assembly Bill No. 226 read first time, and referred to Committee on Finance.

Assembly Bill No. 342 read first time, and referred to Committee on Finance.

Assembly Bill No. 343 read first time, and referred to Committee on Finance.

Assembly Bill No. 344 read first time, and referred to Committee on Finance.

Assembly Bill No. 498 read first time, and referred to Committee on Finance.

Assembly Bill No. 642 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the Southern Branch of the University of California situated in the city of Los Angeles;

Also: Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 73722, relating to the salaries of superior court judges;

Also: Assembly Bill No. 1228—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Also: Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon avenue," within the corporate city limits of East San Diego, from Boundary street to Euclid avenue, in San Diego county, California, to be a State highway.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Assembly Bill No. 643 read first time, and referred to Committee on Finance.

Assembly Bill No. 1019 read first time, and referred to Committee on Finance.

Assembly Bill No. 1228 read first time, and referred to Committee on Finance.

Assembly Bill No. 1373 read first time, and referred to Committee on Roads and Highways.

MOTION TO WITHDRAW.

Senator Boggs made a motion that Senate Bill No. 431 be withdrawn from the Committee on Reapportionment, and be placed on file for second reading.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Crowley, Inman, and Canepa. Whereupon the Secretary was directed to call the roll.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Nelson moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

The Secretary announced the absentees.

Time, five o'clock and ten minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER THE CALL OF THE SENATE.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS— (RESUMED).

Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 749 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolutions were offered:

By Senator Dennett: Senate Joint Resolution No. 21—Relative to requesting the federal government to prevent the destruction of the Leevining Creek Falls in the Mono National Forest.

Senate Joint Resolution No. 21 read, and referred to Committee on Federal Relations.

By Senator Breed: Senate Constitutional Amendment No. 35—Relative to the State budget.

Senate Constitutional Amendment No. 35 read, and referred to Committee on Constitutional Amendments.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Nelson.

The Secretary was directed to call the roll, on the motion to recall Senate Bill No. 431, of the Senators who had not answered to their names.

The roll was called, and the motion to recall Senate Bill No. 431 to floor of Senate carried by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Osborne, Rominger, Sample, Slater, and Swing—21.

NOES—Senators Canepa, Carr, Crowley, Gates, Dr., Godsil, Gray, Handy, Ingram, McDonald, Murphy, Nelson, Powers, and Sharkey—13.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

Resolved, That Senate Bill No. 431 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Rominger, Sample, Sharkey, Swing, and West—27.

NOES—Senators Crowley, Godsil, Gray, Handy, McDonald, Nelson, Powers, and Slater—8.

Senate Bill No. 431—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read second time.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 431 refused passage by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Hart, Johnson, A. B., Lewis, Rominger, Sample, and Swing—14.

NOES—Senators Canepa, Carr, Crowley, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, McDonald, Murphy, Nelson, Osborne, Powers, Sharkey, Slater, and West—21.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SEVENTEEN.

Senator Dennett asked for and was granted unanimous consent to take up Senate Bill No. 417.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 417 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "hour" insert the words "after three o'clock p.m. of Friday".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Dennett, Slater and Murphy, upon the motion to refer. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion lost by the following vote:

AYES—Senators Boggs, Breed, Eden, Gates, Dr., J., Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Nelson, and Powers—13.

NOES—Senators Arbuckle, Canapa, Creighton, Crowley, Dennett, Godsil, Inman, Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—18.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 417 passed by the following vote:

AYES—Senators Arbuckle, Canapa, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Hughes, Inman, Johnson, M. B., Jones, McDonald, Murphy, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—21.

NOES—Senators Gates, Dr., Handy, Hart, Hurley, Ingram, Johnson, A. B., Lewis, Nelson, and Powers—9.

MOTION TO AMEND.

Senator Dennett moved to amend the title to Senate Bill No. 417, as follows:

On line 5 of the title strike out the words "two hours" and insert in lieu thereof the words "one hour".

Title amended.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Senate Bill No. 749 ordered to second reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-NINE.

Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

Read second time and ordered to engrossment and on file for third reading.

ADJOURNMENT.

At six o'clock p.m., on motion of Senator Breed, Senator Hughes declared the Senate adjourned until ten o'clock, Friday, May 11, 1923.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, May 11, 1923.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. J. J. Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Johnson, M. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 10, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Gates, W. F., the privilege of the floor of the Senate Chamber for the day was unanimously extended to L. P. Farris, principal, and Miss Elizabeth Benthien, teacher civics class, of Marysville Union High School, and the following pupils:

Dorothy Armstrong, Lavon Kash, Mavis McCampbell, Winifred Burt, Ada Dunning, Lillian Silver, Marjorie Smith, Grace Brown, Dorothy Donnell, Mildred Viney, Edith Baker, Ivadel Murray, Mildred Marders, Jack Sanford, Jesse Sutton, and Ted Baun.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to C. Collins McGlynn of 1640 Cedar street, Berkeley.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to T. R. Farewell and L. M. Miller of Sacramento, and G. A. Sweeney of San Francisco.

RESOLUTION.

The following resolution was offered:

By Senator Slater:

Relative to the commemoration of the centennial of the Mission San Francisco Del Solano at Sonoma, California, July 4, 1923.

WHEREAS, During the first week in July, there will be celebrated in the city of Sonoma, State of California, the hundredth anniversary of the founding on July 4, 1823, of the Mission San Francisco Del Solano, which is to be an event of great and historical importance promising to attract to Sonoma many thousands of people and which is to be made an occasion of the reproduction of California history, including the founding of the mission and the raising of the Bear Flag of the California Republic, in pageantry of impressive interest; therefore, be it

Resolved, By the Senate of the State of California, assembled in Sacramento, this tenth day of May, 1923, that we offer our sincere congratulations to the people of Sonoma and compliment them on their effort to make the mission centennial an event in accord with the significance of its historical import.

Resolution read, and on motion of Senator Slater, adopted.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

SACRAMENTO, May 11, 1923.

To the Senate of the State of California:

Senate Bill No. 480 is returned herewith without my approval.

This bill, if enacted into law, would enable the stenographic reporters of the superior court of Stanislaus County to monopolize the stenographic work of the justices' courts of the county in all proceedings in felony and high misdemeanor cases, and in all other cases where the services of a reporter are required. For their services in reporting such proceedings they would receive the same fees as are provided by law for like services in the superior court.

Irrespective of any question as to the propriety of such legislation, it is apparent that this proposed amendment is unconstitutional. Section 5 of article XI of the constitution provides for the classification of counties by population for the sole purpose of fixing the compensation of county officers. See *Summerland vs. Bicknell*, 111 Cal. 567; and *Sanchez vs. Forduce*, 141 Cal. 429.

A stenographic reporter of the superior court is not a county officer. See *Stevens vs. Truman*, 127 Cal. 159. Therefore the classification of counties by population cannot be availed of for the purpose of regulating the duties of compensation of superior court reporters. See *Pratt vs. Browne*, 135 Cal. 649.

The above mentioned case is also authority for the proposition that this act is invalid for the reason that its subject matter is not expressed in the title to the County Government Act, and the subject is not germane to the uniform system of county government for which that act provides.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

Ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange;

Also: Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915;

Also Assembly Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class;

Also: Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than \$10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records;

Also: Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class;

Also: Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class;

Also: Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3960, 3961, 3962, 3963, 3964, 3965, 3966, 3967, 3968, 3969, 3970, 3971, 3972, 3973, 3974, 3975, 3976, 3977, 3978, 3979, 3980, 3981, 3982, 3983, 3984, 3985, 3986, 3987, 3988, 3989, 3990, 3991, 3992, 3993, 3994, 3995, 3996, 3997, 3998, 3999, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, inclusive, relating to the reestablishment and redefinition of the boundaries of the counties of the State of California;

Also: Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County;

Also: Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians;

Also: Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission, and a license thereon, and defining the conditions under which, said water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof;

Also: Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California;

Also: Senate Bill No. 36—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists;

Also: Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints;

Also: Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts;

Also: Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class;

Also: Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class;

Also: Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester;

Also: Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries;

Also: Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts;

Also: Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State;

Also: Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California;

Also: Senate Joint Resolution No. 18—Relative to needy Indians within the State of California;

Also: Senate Bill No. 712—An act to amend sections 792, 793 and 795 of the Code of Civil Procedure, all relating to the place of trial of civil actions;

Also: Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace;

Also: Senate Bill No. 40—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, as amended;

Also: Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State;

Also: Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border;

Also: Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class; And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at ten o'clock and thirty minutes a.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 525—An act to limit appropriation of water for power purposes, and prohibiting a wasteful use;

Also: Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties and counties of the second, third, fourth, fifth and sixth class, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties;

Also: Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof;

Also: Senate Bill No. 54—An act providing for the manufacture, distribution, use and sale of cement and cement products by the Department of Public Works of the State of California; defining the powers and duties of said board relative thereto, and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 168—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor.

Also: Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California;

Also: Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California;

Also: Senate Bill No. 748—An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the budget act passed at the present session of the Legislature;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 447—An act creating the Peninsula development board, conferring certain powers thereon and providing for the exercise thereof—and reports that the same has been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 452—An act to amend section 7 of, and to add a new section to be numbered 2a to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the fish and game commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921;

Also: Senate Bill No. 48—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts, and defining and establishing such districts and to repeal all acts in conflict with this act;

Also: Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'inheritance tax act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'inheritance tax act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921; and relating to the taking effect of this act;

Also: Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydro-carbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act; And reports that the same have been correctly re-engrossed.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 483—An act to amend section 29 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the state or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

SLATER, Chairman.

Assembly Bill No. 1365 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

SLATER, Chairman.

Assembly Bill No. 611 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1136—An act to amend section 1498 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets;

Also: Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State;

Also: Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

BOGGS, Vice Chairman.

Assembly Bills Nos. 1136, 1329 and 596 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers;

Also: Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts;

Also: Assembly Bill No. 1357—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education;

Also: Assembly Bill No. 653—An act to add a new section to be numbered section 15a to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—9; absent—6.

BOGGS, Vice Chairman.

Assembly Bills Nos. 1007, 813, 1357 and 653 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL—(OUT OF ORDER).

The following request for permission to introduce a bill was presented:

By Senator Powers:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request that the permission of the Senate be granted for the introduction of the accompanying bill, the title of which is as follows, to wit:

An act to amend section 1188 of the Political Code providing for nominations other than at a primary election.

Request referred to Committee on Rules.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Powers to introduce a bill entitled—An act to amend section 1188 of the Political Code providing for nominations other than at a primary election—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

NOES—None.

debated there, every measure was necessary to sell.

The following bill was introduced:

By Senator Phelps. Senate Bill No. 740.—An act to amend section 116 of the Political Code, providing for amendments other than at a primary election.

Senate Bill No. 741 read that time and referred to Committee on Elections.

REPORT OF SELECTED COMMITTEES.

The following report of standing committee was received and read at length:

Small Finance, Securities, May 11, 1921.

MR. PRESIDENT: Your Committee on Small and Medium Finance (Finance Committee No. 2), created by the passage of the Legislative Code Commission act of 1917, for the purpose of studying and reporting on the system of issuing and redeeming bonds and notes of the State and of the various cities, counties, and other local governments, and especially directed the committee to make a complete survey of the situation in this State.

Committee appointed 2 members on May 11, 1918, 2

REHUBB, Chairman.

CONSIDERATION OF AN ACT TO ESTABLISH BOARD OF FINANCE, MAY 11, 1921.

Senate Concurrent Resolution No. 20. Relative to the creation of the "Legislative Tax Committee of 1921." For the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other States.

DEBATES—PROCEEDINGS.

During the reading of the resolution, the following amendments were offered:

AMENDMENT—SECOND READING.

On page 1, line 11, in the second sentence the word "committee" and the words "of the Senate."

Amendment adopted.

AMENDMENT—THIRD READING.

On page 1, line 12, of the second sentence, after the word "committee" add the words "of the Senate."

Amendment adopted.

AMENDMENTS FROM THE FLOOR.

During reading of the resolution, the following amendments were offered and their adoption moved by Senator Wallace:

AMENDMENT—SECOND READING.

On page 1, line 11, in the second sentence, after the word "committee" add the words "of the Senate."

AMENDMENT—THIRD READING.

On page 2, line 25 of the second sentence, after the word "after the word 'committee' and after the word 'of the Senate' add the words 'and the committee shall have the right to call upon the various cities, counties, and other local governments for information and to make such investigation and report as may be necessary for the purpose of the act."

Motion carried.

Concurrent resolution referred to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 26—Relative to the creation of the "Legislative Tax Committee of 1923," for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states—and reports that the same has been correctly engrossed.

GATES, DR., Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-SIX,
WITHOUT REFERENCE TO COMMITTEE.

SENATE CONCURRENT RESOLUTION No. 26.

Relative to the creation of the "Legislative Tax Committee of 1923," for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states.

WHEREAS, The rapid increase in the State's expenditures, the growth of its institutions and the ever increasing demand for the extension of its governmental functions and activities, together with the problem of the equitable distribution of the burden of taxation, require a careful study and thorough investigation of the State's system of revenue and taxation; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That there shall be, and there is hereby created a committee to be known as the "Legislative Tax Committee of 1923," to be composed of two members of the Senate to be appointed by the President of the Senate and two members of the Assembly to be appointed by the Speaker of the Assembly. Said committee shall make an investigation of all sources of actual and potential revenues of the State, cities and counties, municipal governments and political subdivisions and shall also investigate the present systems of taxation by states and political subdivisions thereof, and shall, if in its judgment a change should be made in the existing method or methods of taxation in this State, cause to be prepared such constitutional amendment or amendments as may be required to carry its recommendations into effect and such enabling acts as may be required; and be it further

Resolved, That the Attorney General shall act as legal adviser to the committee, and the committee shall have no power to employ special counsel. Such committee shall have power to employ experts and the necessary clerical assistance and contract miscellaneous office expenses out of the fund hereby provided. The members of the committee shall serve without salary but shall be entitled to reasonable traveling and living expenses while in session and in going to and from meeting places; and be it further

Resolved, That such committee shall make a written report, addressed to the Governor and to the Legislature, containing such data as it may deem advisable, its findings, recommendations and any constitutional amendment or amendments or act or acts proposed by it. Said report shall be delivered to the State Printer on or before the first day of November, 1924, and copies thereof shall, on or before December 1, 1924, be delivered to the Governor, Lieutenant Governor, the Speaker of the Assembly, the State Board of Equalization, the State Controller and State Treasurer and shall be mailed to all members elect of the Senate and Assembly for the session of 1925 and to all holdover Senators for that session. Copies in a reasonable number shall be available to the public; and be it further

Resolved, That the sum of \$8,000, or so much thereof as may be necessary, for the purposes of conducting such investigation and making such report shall be paid equally by the Senate and the Assembly out of their contingent funds for the seventy-third and seventy-fourth fiscal years and the said sum is hereby set aside out of said funds and the Controller is hereby directed to draw his warrant against said funds for said purposes.

Resolution read.

The question being on the adoption of the resolution.

POINT OF ORDER.

Senator Inman raised the point of order that "there was a motion before the house."

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

The roll was called, and Senate Concurrent Resolution No. 26 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Crowley, Dennett, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hughes, Hervey, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Rush, Sharkey, and Slater—25.

NOES—Senators Arbuckle, Burnett, Chamberlin, Craghton, Eden, Gray, Hart, Johnson, A. B., Lyon, McDonald, Osborne, Rominger, Sample, Swing, and West—15.

Concurrent resolution No. 26 ordered transmitted to the Assembly.

POINT OF ORDER.

Senator Inman raised the point of order that "there was a motion before the house."

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL—(OUT OF ORDER).

The following resolution was offered:

By Senator Chamberlin:

SENATE CONCURRENT RESOLUTION No. 27.

Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington.

WHEREAS, The establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington for the educational, artistic and cultural benefit of the people of the State of California and the United States, is recognized as one of the most outstanding endowments of the century; and

WHEREAS, The Huntington Foundation, munificently endowed by its creator with ample properties and funds to insure its perpetual maintenance and extension, includes the renowned Huntington library, acknowledged to be the most complete and valuable assembling of literature known to the world and containing the rarest of editions and prints; a collection of paintings by masters which rivals the great galleries of Europe; the Huntington home, an edifice that in majesty of beauty and availability as a permanent art gallery would, alone, be a most notable gift, and a botanical garden of more than five hundred acres of surrounding land planted with a collection of trees and plants from all parts of the world and classed among the most noted and complete in existence; and

WHEREAS, This benefaction is, in its extent and educational and artistic value to the American people, one of the greatest gifts of an individual to a state or nation known in all history; and

WHEREAS, Through the Huntington Foundation, the people of California and the United States are afforded access to literary sources and an opportunity to study and enjoy the greatest works of art, and to use the extensive botanical gardens provided with unlimited facilities for the experimental research and study of every form of vegetation, all of which could not be enjoyed save by journeying to distant lands where even the same resources could not be found to the same extent and perfection; and

WHEREAS, The State of California is thus provided with artistic, literary and botanical facilities that are equal to the best and highest provided in the cultural centers of the world; therefore, be it

Resolved by the Senate, the Assembly concurring, That the California Legislature, at its forty-fifth session, hereby commends this gift of Mr. Henry E. Huntington to the people of the State of California and the United States, and commends the donor as a benefactor who is deserved well of his State and his nation; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward an engrossed copy of this resolution to Mr. Henry E. Huntington, as a testimonial of the appreciation and gratitude of the people of the State of California,

Senate Concurrent Resolution No. 27 referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington—has had the same under consideration, and respectfully reports the same back, and recommends that the resolution be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER
TWENTY-SEVEN.

Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 27 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

NOES—None.

Senate Concurrent Resolution No. 27 ordered transmitted to the Assembly.

EXPLANATION OF VOTES.

Statement by Senators Lyon and Allen with respect to vote on Senate Bill No. 48, being the reapportionment measure:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

The undersigned having been regularly excused from the afternoon session of May 10 and having understood that all votes with respect to the above subject would be taken on this legislative day (May 11, 1923), we desire to have a record made of our position on this question. We would have voted for reapportionment, had we been present, although our votes would not have changed the result of the roll call.

CHARLES W. LYON.
NEWTON M. ALLEN.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 740 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lyon, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 582 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lyon, Nelson, Rominger, Rush, Sample, Sharkey, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lyon, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swigg, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 748—An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the budget act passed at the present session of the Legislature.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 748 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—Senators Dennett, and Inman—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 168—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 168 passed by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Ingram,

Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sharkey, Slater, Swing, and West—29.

NOES—Senators Allen, Chamberlin, Hart, Johnson, A. B., Lyon, Rominger, and Sample—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Explanation of vote on Senate Bill No. 168:

I desire to say that I am in favor of the above measure and voted "No" under a misunderstanding of the subject before the Senate, having been called to the telephone before Senator Murphy's statement thereof.

CHARLES W. LYON.

Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence, or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties and counties of the second, third, fourth, fifth and sixth class, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 166 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing and West—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 246—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 246 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lyon, McDonald, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—26.

NOES—Senators Boggs, Canepa, Carr, Dennett, Harris, Inman, Johnson, M. B., Jones, Lewis, Murphy, and Nelson—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 447—An act creating the Peninsula Development District, comprising the city and county of San Francisco and a portion of San Mateo County, conferring certain powers thereon and providing for the exercise thereof.

Bill read third time.

- The question being on the passage of the bill.

The roll was called, and Senate Bill No. 447 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyons moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyons, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 85 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Murphy, the further consideration of the motion to reconsider the vote whereby Assembly Constitution Amendment No. 6 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice on a previous day, Senator Chamberlin moved to reconsider the vote whereby Assembly Bill No. 478 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 478 was passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Assembly Bill No. 478 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of line 2 of the title of the printed bill, as amended April 30, 1923, after the semicolon following the word "ray", all of lines 3 to 6, both inclusive, and

in lieu thereof insert the following: "providing for the examination and registration of persons as radiographers by the state board of health; providing penalties for the violations hereof".

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill as amended April 30, 1923, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed bill as amended April 30, 1923, strike out the word "committee" and insert in lieu thereof the word "board".

AMENDMENT NUMBER FOUR.

On page 2, line 38, of the printed bill as amended April 30, 1923, strike out the word "health" and insert in lieu thereof the word "examiners".

AMENDMENT NUMBER FIVE.

On page 2, line 43, of the printed bill as amended April 30, 1923, strike out the word "besides" and in lieu thereof insert the following: "in addition to the following subjects:".

AMENDMENT NUMBER SIX.

On page 3, line 6, of the printed bill as amended April 30, 1923, strike out the word "board" and in lieu thereof insert the words "state board of health".

AMENDMENT NUMBER SEVEN.

On page 3, line 7, of the printed bill as amended April 30, 1923, strike out the word "this" and insert in lieu thereof the word "said".

AMENDMENT NUMBER EIGHT.

On page 3, line 17, of the printed bill as amended April 30, 1923, after the word "of" insert the words "good moral".

AMENDMENT NUMBER NINE.

On page 3, line 27, of the printed bill as amended April 30, 1923, after the word "board" insert the words "of examiners".

AMENDMENT NUMBER TEN.

On page 3, line 33, of the printed bill as amended April 30, 1923, after the word "board" insert the words "of examiners".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill as amended April 30, 1923, strike out all of line 35 following the word "board" and insert in lieu thereof the following: "of examiners just cause for such restoration exists".

AMENDMENT NUMBER TWELVE.

On page 3, line 45, of the printed bill as amended April 30, 1923, strike out the words "liable to" and insert in lieu thereof the words "punished by".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 51, of the printed bill as amended April 30, 1923, strike out the word "are" and insert in lieu thereof the word "is".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 478, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley, adopted.
Bill ordered to print.

RE-REFERENCE OF BILL.

On motion of Senator Lyon, Senate Bill No. 209 was taken from the file and ordered re-referred to Committee on Motor Vehicles.

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the han-

Assembly Bill No. 1361—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "also" strike out the words "five hundred" and insert in lieu thereof, "two hundred and fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 43, of the printed bill, after the word "treasurer", strike out the words "two thousand eight hundred" and insert in lieu thereof "three thousand".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 44, of the printed bill, after the word "paid", insert the following: "In addition to the duties of his office he shall act as attorney for the public administrator."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 34, of the printed bill, strike out the word "five", the first word in the line.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 17, of the printed bill, after the word "expenses", insert the following: "Each member shall be allowed in lieu of all other fees for mileage, one dollar per mile per annum for each road mile in their respective districts, exclusive of state highway."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by adding a new section thereto to be numbered section 64.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill after the comma following the word "purposes" insert quotation marks.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill strike out the quotation marks following the comma after the numbers "1897" and insert in lieu thereof the following: "as amended,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, after the comma insert quotation marks.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, strike out the quotation marks after the comma following the numbers "1897" and in lieu thereof insert the following: "as amended,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, strike out the words "domestic animal" and in lieu thereof insert the words "hog or hogs".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill strike out the words "such animal" and in lieu thereof insert the words "any of such hogs".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 14, of the printed bill, strike out the words "such animal" and in lieu thereof insert the words "hog or hogs".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "ten" strike out the following: ", and to repeal section eleven".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "February" insert a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "Monday", strike out the word "of" and insert in lieu thereof the word "in".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, after the word "October" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 8, of the printed bill, after the word "November" insert a comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the word "except" and insert in lieu thereof the word "including".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 24, of the printed bill, strike out the following: "provided,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title after the word "nine" insert the following: "and four".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title after the words "nine of" insert the following: "and to add a new section to be numbered section 7a to".

Amendment adopted.

AMENDMENT NUMBER THREE.

A new section is hereby added to said act approved March 24, 1903, to be numbered section 7a and to read as follows:

"Sec. 7a. In the ordinance ordering the improvement to be made, or thereafter, the legislative body of the municipality may order that moneys of the municipality may be deposited in court, in such amount, or amounts, as the court, in which said action may be pending, may determine to be reasonably adequate to secure the owners, of the property sought to be taken, immediate payment of just compensation for such property taken and any damages thereto, including damages sustained by reason of adjudication that there is no necessity for taking the property, as soon as the same can be ascertained according to law, and may thereupon take immediate possession of such property; such moneys shall be held by the court until payment to the several defendants, or into court for their benefit, of the amount or amounts awarded to such defendants, and thereupon shall be returned to said municipality."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word "treasurer" strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 16 and 17, of the printed bill, strike out the words "Auditor or Treasurer" and insert the word "county".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the period and insert a comma and the following: "and the same penalty shall apply when a claimant applies to the court for a writ of mandate to compel the payment of a claim and the claim is allowed."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "five" insert the following: "of the Political Code".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, after the word "or" insert the following: "a claim for allotment, allowance, compensation, insurance,".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of rape or carnal abuse of females under the age of ten years.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amendment to title. In line 3 of the title of the printed bill, following the words "convicted of", strike out the words "rape or".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the printed bill, following the comma after the word "years", strike out the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 6 of the printed bill strike out the words "of rape by force and violence,".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 619—An act to amend section 1808 of the Code of Civil Procedure, relating to the entry of order appointing guardian.
Bill read second time, and ordered on file for third reading.

Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "to" insert the words "salaries, fees and expenses of officers in".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the period and in lieu thereof insert the following: "; one deputy at a salary of one thousand nine hundred seventy dollars per annum."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, preceding the word "dollars" insert the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 18, of the printed bill, preceding the word "dollars" insert the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 49, of the printed bill, preceding the word "dollars" insert the word "fifty".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 50, of the printed bill, after the word "thousand" insert the word "fifty".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 51, of the printed bill, after the word "hundred" insert the word "ten".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 8, of the printed bill, after the word "hundred" insert the word "ten".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 10, of the printed bill, after the word "hundred" insert the word "ten".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 40, of the printed bill, strike out the number "2,000" and in lieu thereof insert the number "653".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5 of the printed bill, after line 47, insert the following:

"Township No. 18..... 1,407"

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, state or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize said districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 622—An act to repeal section 927*n* of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest; certificate of service.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 645—An act to amend section 1313 of the Political Code, relating to charitable bequests.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 721—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1248—An act to amend section 274*a* of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1249—An act to amend sections 852, 855, 857*a*, and 858, and to repeal section 857 of the Code of Civil Procedure, relating to justices' courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 38—An act to amend section 953*c* of the Code of Civil Procedure, relating to record on appeal.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the "period" and insert in lieu thereof the following: "or upon good cause being shown the court may extend time to a party to print and file a supplemental brief."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "case" insert the following: "by code number".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 5, strike out comma after word "judge".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 7, strike out comma after word "together"; strike out word "constitutes" after word "which"; add word "constitute" after word "which". In line 10, strike out period after word "demurrer"; add semicolon after word "demurrer". In line 11, add comma after word "modified". In line 13, add comma after word "and".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, add comma after word "must". In line 7, strike out period after word "accusation". In line 8, strike out period after word "plea". In line 9, strike out period after word "demurrer". In line 10, strike out period after word "demurrer". In line 12, strike out period after word "court". In line 14, strike out period after word "trial". In line 17, strike out period after word "charge". In line 18, strike out period after word "judgment". In line 7, add semicolon after word "accusation". In line 8, add semicolon after word "plea". In line 9, add semicolon after word "demurrer". In line 10, add semicolon after word "demurrer". In line 12, add semicolon after word "court". In line 14, add semicolon after word "trial". In line 17, add semicolon after word "charge". In line 18, add semicolon after word "judgment". In line 11, strike out parenthesis after word "trial". In line 12, strike out parenthesis after word "court".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 10, strike out "The application". In line 11, strike out "must state if appeal is taken from the minutes of the court". In line 12, strike out "and must designate what portions of the photographic". In line 13, strike out "reporter's notes it will be necessary to have transcribed to". In line 14, strike out "fairly present the points relied upon". In line 10, add after word "relies", "If appeal is taken from the minutes of the court the application must so state and must designate what portions of the photographic reporter's notes it will be necessary to have transcribed to fairly present the points relied upon".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment: commitment, form of.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 3, add letter "s" to word "matter" after words "truth of the". In line 4, strike out "and" after word "certificate.". In line 10, add "." after word "adjudged". In line 10, strike out word "decreed" after words "adjudged and". In line 10, add word "decreed" after words "adjudged and". In line 13, add word "the" after word "arrest" instead of "and". In line 24, strike out word "county" after "-----". In line 24, add word "County" after "-----".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 11, strike out word "Duplicate" after word "adopted". In line 11, add word "Duplicates" after word "adopted".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 3—An act to add a new section to the Civil Code, to be numbered 3051a, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "No" and insert in lieu thereof the words "That portion of any".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the word "valid" and insert in lieu thereof the word "invalid".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, after the word "writing" insert the following words: "either by personal service or by registered letter addressed".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the Army, Navy or Marine Corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the word "the" strike out the words "prerequisites of which are" and insert in lieu thereof "prerequisite of which is".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15a, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, after the article "the" strike out the words "prerequisites of which are" and insert in lieu thereof the words "prerequisite of which is".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 47, of the printed bill, after the word "right" insert the following: "and power".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 49, of the printed bill, after the comma, insert the following: "contract,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, after the word "rights" insert the following: "and powers".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 46, of the printed bill, after the words "tracts of" strike out the word "lands" and insert in lieu thereof the word "land".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 22, of the printed bill, after the word "several" strike out the word "farms" and insert in lieu thereof the word "farm".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 8, of the printed bill, after the word "act" insert a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 9, of the printed bill, after the word "purposes" insert a comma.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 10, of the printed bill, after the word "allotments", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 11, of the printed bill, strike out the first comma.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 12, of the printed bill, after the word "allotments" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 13, of the printed bill, strike out the comma after the word "exceeding".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 6, line 36, of the printed bill, after the word "board" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 47, of the printed bill, after the article "the" strike out the word "balance" and in lieu thereof insert the word "amount".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 6, line 47, of the printed bill, after the word "land" strike out the words "shall be paid in" and insert in lieu thereof the following: "may be amortized".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 48, of the printed bill, strike out the words "amortizing payments extending".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 49, of the printed bill, after the word "board" insert the following: ", but".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 49, of the printed bill, after the word "years" insert a comma.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 52, of the printed bill, strike out the words "shall be paid in amortizing payments extending" and insert in lieu thereof the following: "may be amortized".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 7, line 1, of the printed bill, after the word "board" insert the following: ", but".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 1, of the printed bill, after the word "years" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 4, of the printed bill, after the word "loans" strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 10, of the printed bill, strike out the word "portion" and insert in lieu thereof the word "part".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 51, of the printed bill, after the word "fences," strike out the word "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 41, of the printed bill, after the words "in the event of" insert the article "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 2, of the printed bill, after the word "board" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 3, of the printed bill, after the word "expenses" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 4, after the word "dollars" insert a comma.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "therefor," insert the following: "approved May 30, 1921,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the word "the" strike out the words "prerequisites of which are" and insert in lieu thereof the words "prerequisite of which is".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 8, of the printed bill, after the word "compounded" strike out the word "semiannually" and insert in lieu thereof the word "semi-annually".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 50, of the printed, after the words "it may" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 8, line 13, of the printed bill, after the word "sections" strike out the word "subsection" and insert in lieu thereof the word "subsections".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4, and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases

where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

Amendment adopted.

AMENDMENT NUMBER ONE.

Strike out the word "two" in line 1 of the title, and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 10 and 11 of the title, strike out the following: ", relating to the distribution of a water supply".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, in line 1, of the printed bill, strike out the word "two" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all of lines 11 to 19, inclusive, on page 1 and lines 1 to 28, inclusive, on page 2 of the printed bill, and insert in lieu thereof the following:

"SEC. 20. *Subdivision first.* The expenses incurred for any work authorized by this act, which expense shall not include the cost of any work done in such portion of any street, as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, nor include work which shall have been declared in the resolution of intention to be assessed on a district benefited, shall be assessed upon the lots and lands fronting thereon, except as otherwise in this act specifically provided; each lot or portion of a lot being separately assessed, in pro-

portion to the frontage, at a rate per front foot sufficient to cover the total expense of the work.

Subdivision second. The expense of the work done on main street crossings shall be assessed at a uniform rate per front foot of the quarter blocks and irregular blocks adjoining and cornering upon the crossings, and separately upon the whole of each lot or portion of a lot having any frontage in the said blocks fronting on said main streets, half way to the next main street crossing, or to the end of such street if it does not meet another, and all the way on said blocks to a boundary line of the city where no such crossing intervenes, but only according to its frontage in said quarter blocks and irregular blocks.

Subdivision third. Where a main street terminates in another main street, the expenses of the work done on one-half of the width of the street opposite the termination shall be assessed upon the lots in each of the two quarter blocks adjoining and cornering on that side, according to the frontage of such lots on said main streets, and the expense of the work on the other half of the width of said street when the work is sewerage of the terminating street only, shall be assessed upon the lots fronting on the termination and the lots adjacent to said lots on each side half way from the termination to the next terminating or intersection street, according to the frontage of such lots on that side, and in all other work done on the termination, the property fronting on the termination shall be considered frontage and be assessed as set forth in subdivision first of this section.

Subdivision fourth. Where any alley or subdivision street crosses a main street, the expense of all work done on said crossing shall be assessed on all lots or portions of lots half way on said alley or subdivision street to the next crossing or intersection, or to the end of such alley or subdivision street, if it does not meet another.

Subdivision fifth. The expense of work done on alley or subdivision street crossings shall be assessed upon the lots fronting upon such alley or subdivision streets on each side thereof, in all directions, half way to the next street, place or court, on either side, respectively, or to the end of such alley or subdivision street, if it does not meet another.

Subdivision sixth. Where a subdivision street, avenue, lane, alley, place or court terminates in another street, avenue, lane, alley, place or court, the expense of the work done on one-half of the width of the subdivision street, avenue, lane, alley, place, or court opposite the termination, shall be assessed upon the lot or lots fronting on such subdivision street, avenue, lane, alley, place or court so terminating, according to its frontage thereon, half way, on each side respectively, to be next street, avenue, lane, alley, place or court or to the end of such street, avenue, lane, alley, place or court, if it does not meet another, and the expense of the work on the other half of the width when the work is sewerage of the terminating subdivision street, avenue, lane, alley, place or court, shall be assessed upon the lots fronting on the termination and the lots adjacent to said lots on each side half way from the termination to the next terminating or intersecting street, according to the frontage of such lots on that side, and in all other work done on the termination the property fronting on the termination shall be considered frontage and be assessed as set forth in subdivision one of this section.

Subdivision seventh. Where any work mentioned in this act, manholes, sewers, cesspools, culverts, crosswalks, piling and capping excepted, is done on one side of the center line of any street, or sewerage or resewering is ordered to be done under the sidewalk on only one side of any street for any length thereof, the assessment for the expenses thereof shall be made only upon the lots and lands fronting nearest upon that side of the street and for intervening intersections only upon the two quarter blocks adjoining and cornering upon that side.

Subdivision eighth. Whenever any lot, piece or parcel of land belonging to the State of California, or any lot, piece or parcel of land belonging to any county, city, public agent, mandatory of the government, school board, educational, penal or reform institution, or institution for the feeble-minded or the insane, fronts upon the proposed work or improvement or is included within the district declared by the city council in the resolution of intention to be assessed to pay the costs and expenses thereof, the city council may, in its discretion, in the resolution of intention declare that said lots, pieces or parcels of land so owned, or any of them, shall be omitted from the assessment to be made to cover the costs and expenses of said work or improvement. In the event that said lots, pieces or parcels of land, or any of them, shall by said resolution be omitted from the assessment, then the total expense of all work done shall be assessed on the remaining lots fronting on the work or improvement, or lying within the limits of the assessment district without regard to such omitted lots, pieces or parcels of land, and in the event any such lot, piece or parcel of land be not so omitted from the assessment, then any sum or sums thereafter assessed against the same shall be payable by the county or city owning the same, or by such public agent, mandatory of the government, school board, educational, penal or reform institution, or institution for the feeble-minded or the insane, where such agent, mandatory, board or institution is authorized by law to pos-

sess, control and administer its own funds; and if such agent, mandatory or institution be not so authorized by law then the assessments upon such lots, pieces or parcels of land, shall be paid out of the general fund of the city, or such other fund as the council may designate; *provided, however*, that where any lot, piece or parcel of land belonging to the United States is included in the assessment district the same shall be omitted from the assessment, unless the council shall declare in the ordinance of intention that such lot, piece or parcel shall be included in the assessment, and that the amount thereafter assessed against the same shall be paid out of the general or other fund of the city.

Subdivision ninth. It shall be lawful for the owner or owners of lots or lands fronting upon any street, the width and grade of which have been established by the city council, to perform, at his or their own expense after obtaining permission from the council so to do, but before said council has passed its resolution of intention to order grading inclusive of this, any grading upon said streets, to its full width, or to the center line thereof, and to its grade as then established, and thereupon to procure, at his or their own expense, a certificate from the city engineer, setting forth the number of cubic yards of cutting and filling made by him or them in said grading, and the proportions performed by each owner, and that the same is done to the established width and grade of said street, or to the center line thereof, and thereafter to file said certificate with the superintendent of streets, which certificate the superintendent shall record in a book kept for that purpose in his office, properly indexed. Whenever thereafter the city council orders the grading of said street, or any portion thereof, on which any grading certified as aforesaid has been done, the bids and contracts must express the price by the cubic yard for cutting and filling in grading; and the said owner or owners and his or their successors in interest shall be entitled to credit, on the assessment upon his or their lots and lands fronting on said streets for the grading thereof, to the amount of the cubic yards of cutting and filling set forth in his or their certificate, at the prices named in the contract for said cutting and filling; or, if the grade meanwhile has been duly altered, only for so much of said certified work as would be required for grading to the altered grade; *provided, however*, that such owner or owners shall not be entitled to such credit as may be in excess of the assessments for grading upon the lots and lands owned by him or them, and proportionately assessed for the whole of said grading; and the superintendent of streets shall include in the assessment for the whole of said grading upon the same grade the number of cubic yards of cutting and filling set forth in any and all certificates so recorded in his office, or for the whole of said grading to the duly altered grade so much of said certified work as would be required for grading thereto, and shall enter corresponding credit, deducting the same as payments upon the amounts assessed against the lots and lands owned, respectively, by said certified owners and their successors in interest; *provided, however*, that he shall not so include any grading quantities or credit any sums in excess of the proportionate assessments for the whole of the grading which are made upon any lots and lands fronting upon said street and belonging to any such certified owners or their successors in interest. Whenever any owner or owners of any lots and lands fronting on any street shall have heretofore done, or shall hereafter do any work except grading, on such street, in front of any block, at his or their own expense, and the city council shall subsequently order any work to be done of the same class in front of the same block, said work so done at the expense of such owner or owners shall be excepted from the order ordering work to be done; *provided*, that the work so done at the expense of such owner or owners, shall be upon the official grade, and in condition satisfactory to the street superintendent at the time said order is passed.

Subdivision tenth. Whenever the resolution of intention declares that the cost and expenses of the work and improvement are to be assessed upon a district, the city engineer shall make a diagram of the property affected or benefited by the proposed work or improvement, as described in resolution of intention, and to be assessed to pay the expenses thereof. Such diagram shall show each separate lot, piece or parcel of land, the area in square feet of each of such lots, pieces or parcels of land, and the relative location of the same to the work proposed to be done, all within the limits of the assessment district, and when said diagram shall have been approved by the city council, the clerk shall certify the fact and date thereof. Immediately thereafter the said diagram shall be delivered to the superintendent of streets of said city, who shall, after the contractor of any street work has fulfilled his contract to the satisfaction of said superintendent of streets or city council on appeal, proceed to estimate upon the lands, lots or portions of lots within said assessment district, as shown by said diagram, the benefits arising from such work, and to be received by each such lot, portion of such lot, piece or subdivision of land, and shall thereupon assess upon and against said lands in said assessment district the total amount of the costs and expenses of such work, and in so doing shall assess said total sum upon the several pieces, parcels, lots or portions of lots, and subdivisions of land in said assessment district benefited thereby, to wit: upon each respectively, in proportion to the estimated benefits to be received by each of said several lots,

portions of lots, or subdivisions of land. In other respects the assessment shall be as provided in the next section, and the provisions of subdivisions one, two, three, four, five, six and seven of this section shall not be applicable to the work or improvement provided for in this subdivision.

Subdivision seventh. The terms, lot, lots, lands, piece or parcel of land wherever mentioned in this act shall be deemed to include and shall include property owned or controlled by any person, firm or corporation as a railroad, street or interurban railroad right of way, and whenever a railroad, street or interurban railroad right of way shall front on or abut or parallel or be included with or divide longitudinally any street improved under the provisions of this act or shall be included within any district to be assessed for the cost of any improvement provided in this act, such railroad right of way, whether the same is owned in fee or as an easement, shall be included in the warrant, assessment and diagram and shall be assessed in the manner and with the same effect as other lots, lands or pieces or parcels of land are assessed as provided in this act, and such railroad, street or interurban railroad right of way shall be subject to sale for nonpayment of assessments as in this act provided.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 422 -An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title, strike out the words "section one" and insert in lieu thereof the words "sections one, two, four and five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 21, add the following:

"SEC. 2. Section two of said act approved April 20, 1915, as amended, is hereby amended to read as follows:

Sec. 2. Whenever a petition signed by not less than ten per cent of the qualified electors residing in the territory which is proposed to be formed into a municipal improvement district, setting forth a general description of the improvement, work or public utility to be acquired or constructed and a general description of the exterior boundaries of such proposed district, shall have been filed in the office of the clerk of the legislative body of said city, said legislative body may adopt an ordinance declaring its intention to call an election in said proposed district, or as the same may have been modified as herein provided, for the purpose of submitting to the qualified electors of said district the proposition of authorizing the issuance and sale of bonds of such district in the manner and for the purpose set forth in said ordinance of intention. Said legislative body shall have power to change or modify the boundaries of said district and the nature, character or extent of such proposed public improvement, work or public utility. Said ordinance of intention shall also contain:

1. An accurate description of the exterior boundaries of the proposed municipal improvement district;

2. A general description of the improvement, work or public utility proposed to be acquired or constructed;

3. An estimate of the cost of the proposed improvement, work or public utility and of the incidental expense in connection therewith;

4. That upon a certain date fixed therein an election will be held in said district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of such district to pay the cost and expenses of the proposed improvement, work or public utility, and that a map

showing the exterior boundaries of said district with relation to the territory immediately contiguous thereto, and a general description of the proposed improvement are on file in the office of the clerk of the legislative body of such city; which said map shall govern for all details as to the extent of the said district.

5. A date, hour and place fixed for the hearing of protests."

Amendment adopted.

AMENDMENT NUMBER THREE.

"Sec. 4. Section four of said act approved April 20, 1915, as amended, is hereby amended to read as follows:

Sec. 4. Any person interested, objecting to the formation of said district, or to the extent of said district, or to the proposed improvement, or work, or to the acquiring or construction of the proposed public utility, or to the inclusion of his property in said district, may file a written protest, setting forth such objection, with the clerk of the legislative body at or before the time set for the hearing of said petition. The clerk of said legislative body shall indorse on each such protest the date of its reception by him, and, at the time appointed for the hearing above provided for, shall present to said board all protests so filed with him. Said legislative body shall hear said protests at the time appointed or at any time to which the hearing thereof may be adjourned, and pass upon the same, and its decision thereon shall be final and conclusive. If any of such protests against the proposed improvement or work, or against the acquisition or construction of the public utility be sustained, no further proceedings shall be had or taken pursuant to the petition, but a new petition for the same or a similar purpose may be filed at any time after the expiration of six months from the date such protest was sustained. If any of such protests be against the extent of said district, or against the inclusion of property in said district, then the legislative body shall have power to make such changes in the boundaries of the proposed district as it shall find to be proper and advisable, and shall define and establish such boundaries, but said legislative body shall not modify such boundaries so as to include any territory which will not in its judgment, be benefited by said improvement, work or public utility.

Said legislative body shall not modify such boundaries except after notice of its intention so to do, given by one insertion in said newspaper, describing the proposed modification, and specifying a time for hearing objections to such modification, which time shall be at least ten days after the publication of said notice. Written objections to said proposed modification may be filed with the clerk of said legislative body by any interested person at or before the time set for hearing the same. Said legislative body shall hear and pass upon such objections at the time appointed, or at any time to which the hearing thereof may be adjourned, and its decision thereon shall be final and conclusive. If such objections, or any of them, be sustained, no further proceedings pursuant to such objection shall be taken, but a new petition for the same or a similar purpose may be filed at any time after the expiration of six months from the date such protest was sustained.

At the expiration of the time within which protests may be filed, if none be filed, or if protests be filed and after hearing be denied, or at the expiration of the time within which objections to the modification of the boundaries of the district, in case such modification be proposed, may be filed, if none be filed, or if such objections be filed, and, after hearing, be overruled, as above provided, then said legislative body shall be deemed to have acquired jurisdiction to proceed further in accordance with the provisions of this act.

Amendment adopted.

AMENDMENT NUMBER FOUR.

"Sec. 5. Section five of said act approved April 20, 1915, as amended, is hereby amended to read as follows:

At any time after said legislative body shall have so acquired jurisdiction, it may call an election to be held within the district described in said ordinance, and provide for the submission to the qualified voters thereof, the proposition of incurring a debt by the issuance of bonds of such district, for the purposes set forth in said ordinance. The ordinance or resolution calling such election, shall also recite the objects and purposes for which the proposed indebtedness is to be incurred, the nature of the improvement, work or public utility, contemplated thereby, the estimated cost thereof, the amount of the principal of the indebtedness to be incurred therefor and the rate of interest to be paid on said indebtedness; and shall fix the date on which such election shall be held, the manner of holding the same and the manner of voting for or against said proposition. The maximum rate of interest to be paid on such indebtedness shall be six per centum per annum, payable semi-annually." "In the ordinance or resolution calling such election and in the proposition printed on the ballots to be used at such election, it shall not be necessary to specify separately the incidental expense in connection with the proposed improvement, work or public

utility, but the amount of such incidental expense may be considered and treated as a part of the estimated cost of such improvement, work or public utility."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

RECESS.

At two o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore, of the Senate, in the chair
Joseph A. Beek, Secretary of the Senate, at the desk.

RE-REFERENCE OF BILL.

On motion of Senator Johnson, A. B., Senate Bill No. 48 was taken from the file and ordered re-referred to Committee on Reapportionment.

MOTION TO RECALL BILL FROM COMMITTEE.

Senator Lewis moved that Senate Bill No. 61 be recalled from Senate Committee on Finance and that it be forthwith taken up for consideration.

Resolution to recall read.

The question being on the adoption of the resolution.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Senators Allen, Dennett, Gates, Dr., Hughes, Hurley, Inman, Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rush, Sharkey, and Swing—15.

NOES—Senators Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., McDonald, Osborne, Rominger, Sample, Slater, and West—21.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 750. An act to amend section 1188 of the Political Code, providing for nominations other than at a primary election—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SLATER, Chairman.
POWERS.
DENNETT.
SWING.
SHARKEY.
RUSH.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FIFTY.

CASE OF URGENCY.

By Senator Powers:

Resolved, That Senate Bill No. 750 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Section 15 setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Bill read second time.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 750 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—Senators Hurley, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 25—Approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the first day of May, 1923—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at four o'clock p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 750—An act to amend section 1188 of the Political Code providing for nominations other than at a primary election;

Also: Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington;

And reports that the same have been correctly engrossed.

GATES, DR., Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 139—An act to amend section 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—8; absent—6.

JONES, Chairman.

Assembly Bill No. 139 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 711—An act to amend section 208 of the Penal Code and to add a new section to said code to be numbered 207a, relating to kidnaping—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, Chairman.

Assembly Bill No. 711 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*ue*, relating to the salary of superior judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

JONES, Chairman.
WEST.
NELSON.
DENNETT.
SAMPLE.
SWING.
BURNETT.
EDEN.
HARRIS.
CHAMBERLIN.
JOHNSON, M. B.
LYON.
CARR.
INMAN.

Assembly Bill No. 11 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

JONES, Chairman.
SAMPLE.
DENNETT.
JOHNSON, M. B.
WEST.
LYON.
BURNETT.
EDEN.
INMAN.
SWING.
CHAMBERLIN.
NELSON.
CARR.
HARRIS.

Assembly Bill No. 214 ordered re-referred to Committee on Finance.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1326—An act to amend section 14 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

BURNETT, Chairman.

Assembly Bill No. 1326 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

BURNETT, Chairman.

Assembly Bill No. 1307 ordered on file for second reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, May 11, 1923.

To the Senate of the State of California.

Senate Bill No. 335 is returned herewith without my approval.

This bill adds a new section to the Civil Code, prohibiting minors aged fifteen years or over from disaffirming after reaching majority, contracts for life insurance, where the minor has been insured, or where the insurance is for his benefit or the benefit of any of his kindred. While on principle there is no objection to minors carrying life insurance, this bill is so loosely drawn that it is certain to lead to confusion, injustice and abuse. Children of fifteen or sixteen years, even though engaged in industrial pursuits, are hardly qualified to execute life insurance contracts, and to turn them over to the tender ministrations of agents intent only on earning a commission, will not, in my opinion, subserve their best interests. If this bill prohibited the disaffirmance of life insurance contracts entered into by minors with the advice and consent of their parents, guardians or nearest relatives of matured years, I would readily assent to it, since in most cases it would work to their advantage. But to abrogate the rule in this class of contracts which saves children from the cupidity of their elders or their own folly, without granting them any protection whatever, it seems to me, is not in consonance with sound public policy.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

SENATOR INGRAM IN THE CHAIR.

At four o'clock p.m., Senator Ingram of the third district was called to the chair.

MOTION TO RECALL BILL FROM COMMITTEE.

Senator McDonald moved that Senate Bill No. 561 be recalled from the Senate Committee on Public Morals and that it be forthwith taken up for consideration.

Resolution to recall read.

The question being on the adoption of the resolution.

The roll was called, and the Resolution refused adoption by the following vote:

AYES—Senators Burnett, Canepa, Crowley, Godsil, Gray, Hurley, McDonald, and Murphy—8.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 336—An act to amend section 4252 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Assembly Bill No. 1304 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Constitutional Amendment No. 57 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 703—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof;

Also: Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041a, relating to boards of supervisors;

Also: Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith;

Also: Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor;

Also: Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County;

Also: Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 703 read first time, and referred to Committee on Education.

Assembly Bill No. 654 read first time, and referred to Committee on County Government.

Assembly Bill No. 738 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1041 read first time, and referred to Committee on Finance.

Assembly Bill No. 1009 read first time, and referred to Committee on Finance.

Assembly Bill No. 1084 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor;

Also: Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross;

Also: Assembly Bill No. 418—An act to repeal section 3897a of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes;

Also: Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seven-teenth class;

Also: Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 22 read first time, and referred to Committee on Finance.

Assembly Bill No. 163 read first time, and referred to Committee on Education.

Assembly Bill No. 217 read first time, and referred to Committee on Finance.

Assembly Bill No. 418 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 515 read first time, and referred to Committee on County Government.

Assembly Bill No. 732 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1274—An act to add three new sections to the Penal Code, to be numbered 369h, 369i and prohibiting the drilling, digging or otherwise sinking of any well for oil, gas, or any other hydrocarbon substance in certain localities and prohibiting the operation and maintenance of any well so located.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1274 read first time, and referred to Committee on Oil Industries.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the state, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds;

Also: Assembly Bill No. 1374—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars

in which the United States has been a participant, and repealing an act entitled "An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State," approved March 10, 1887," approved May 18, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1180 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1374 read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS—
(OUT OF ORDER).

Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydrocarbon deposits and providing for the disposition of moneys under said leases; and creating a commission to carry out the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 746 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Rush at four o'clock and five minutes p.m. asked for and was granted leave of absence for the remainder of legislative day.

Senate Bill No. 525—An act to limit appropriation of water for power purposes, and prohibiting a wasteful use.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 525 refused passage by the following vote:

AYES—Senators Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Handy, Harris, Hughes, Ingram, Inman, Jones, Lewis, Murphy, Osborne, Powers, Slater, and Swing—19.

NOES—Senators Allen, Arbuckle, Breed, Chamberlin, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hurley, Johnson, A. B., McDonald, Rominger, Sample, Sharkey, and West—17.

Senate Bill No. 54—An act providing for the manufacture, distribution, use and sale of cement and cement products by the department of public works of the State of California; defining the powers and duties of said board relative thereto, and making an appropriation to carry out the purposes of this act.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Murphy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—35.

The Secretary announced the absentees.

Time, four o'clock p.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF SENATE.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10 and 25, 33 and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation, and recommends that it be re-referred to committee when amendments are printed in the bill.

Committee membership 11; committee vote: Ayes 7; absent—4.

SLATER, Chairman.

CONSIDERATION OF ASSEMBLY BILL ONE THOUSAND THREE HUNDRED FOUR.

CASE OF URGENCY.

By Senator Slater:

Resolved, That Assembly Bill No. 1304 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Section 15 setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senators Allen, and Chamberlin—2.

Bill read second time.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 1 of the title of the printed bill omit the words "and twenty-five" and insert in lieu thereof a comma and the words "twenty-five, thirty-three, and thirty-six."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, omit the words "the candidate shall file," and insert in lieu thereof the words "there shall be filed."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, omit lines 21 and 22, and in line 23 omit the words "the date and place of my birth are -----" and insert in lieu thereof the following: "The year of my birth was ----- The state (or country) of my birth was -----"

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, extend the dotted line after the word "single" by half an inch.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, after line 25 add another dotted line.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, after line 29 add a dotted line. In line 31, after the word "special" insert the word "fitness" and a comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 34, of the printed bill, after the word "words" insert the words, "and to be inserted at the option of the candidate".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the printed bill, omit the word "filed" and insert in lieu thereof the words "at least sixty-five days before the August primary election, and at least forty-five days before a primary election other than the August primary, shall be left."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, omit lines 6, 7, 8, 9, 10 and 11, and insert in lieu thereof the words "of state the declaration of each candidate for state officers, United States senators, representatives in congress, and all officers to be voted for in districts comprising more than one county. In the case of candidates to be voted on at a municipal election at a primary other than the August primary, he shall transmit the declarations of such candidates to the city clerk of the municipality concerned. The declarations of all other candidates he shall file in his own office."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 17, of the printed bill, omit the word "forty" and insert in lieu thereof the words "forty-five," and in lines 19 and 20 omit "twenty-five," and insert "thirty".

Amendment adopted.

AMENDMENT NUMBER NINE a.

On page 3, line 33, of the printed bill, omit the words "state central committee," and insert in lieu thereof the words, "delegate to state convention from "a hold-over" senatorial district."

Amendment adopted.

AMENDMENT NUMBER NINE b.

On page 3, line 38, of the printed bill, after the word "election" insert the words "in the district or political subdivision in which the candidate is to be voted on".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 13, of the printed bill, omit the word "filed" and insert in lieu thereof the word "left."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 19, of the printed bill, omit the period and insert in lieu thereof the words "in his office or forward the same for filing as provided in this act."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 20, of the printed bill, after the word "filing" insert the words "or forwarding for filing."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, lines 26, 27 and 28, of the printed bill, omit the words "his political affiliations" and all the rest of lines 27 and 28, and insert in lieu thereof the words "the declaration of party affiliation is not in accordance with the declaration of party affiliation in such affidavit of registration."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, omit line 32 and insert in lieu thereof as follows: "(g) all sponsor certificates which by section six of this".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, lines 36 and 37, of the printed bill, omit the words "with such certificate as provided for herein attached,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 39, of the printed bill, after the period insert the following: "The county clerk or registrar of voters shall forward with said sponsors' certificates a statement showing the total number which have not been marked 'not sufficient' as herein above provided".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 40, of the printed bill, omit the words "declarations and".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, lines 45 and 46, of the printed bill, omit the comma and the words "with such certificates as provided herein attached,".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, after line 49, of the printed bill, insert a new paragraph as follows: "All sponsor certificates which are not required by this act to be filed in the office of the secretary of state or of a city clerk shall be filed in the office of the county clerk or registrar of voters."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, line 5, of the printed bill, after the comma insert the words "city clerk."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 9, of the printed bill, after the word "each" insert the word "sponsor".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 19, of the printed bill, after the period add the following: "The pamphlet shall contain the declarations and sponsor lists of all candidates for state officers, United States senators, representatives in congress, and all officers to be voted for in districts comprising more than one county, and shall be printed with the same general order of party offices and candidates as is provided in this section and subdivision for the pamphlet to be issued by the county clerk or registrar of voters".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 33, of the printed bill, after the word "pamphlets" insert the words "shall be headed in large type 'Information concerning candidates to be voted on at the primary election' and below this shall be printed in black face type the following: 'Retain this pamphlet until the November election for information concerning candidates nominated at this primary election'. These pamphlets shall be printed with appropriate headings and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 38, of the printed bill after the period insert as follows: "For parties which had no candidate for governor the order shall be as determined by the secretary of state."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 6 of the printed bill, after line 34, insert a new paragraph as follows: "(n) The provisions of this section of the direct primary law shall not apply to the May presidential primary election, but nominations under the provisions of the presidential primary act and under the provisions of section 1188 of the Political Code shall be made through the method of nomination papers provided by the direct primary law as it existed in 1919."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 6 of the printed bill, omit all of lines 39 to 51, inclusive, and insert in lieu thereof the following:

"1. For state officers, United States senators, representatives in congress, and all officers voted for in districts comprising more than one county, in the office of the secretary of state.

2. For officers, except representatives in congress, to be voted for wholly within one county or city and county, in the office of the county clerk or the registrar of voters in such county or city and county.

3. For city officers, in the office of the city clerk or secretary of the legislative body of such city or municipality."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 14, of the printed bill, omit the period and insert in lieu thereof the words "to be voted for in any legislative district comprising more than one county." Also in line 16 omit the word "city" where it first occurs and insert in lieu thereof the word "county".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, line 17, of the printed bill, after the word "candidate" insert a comma and the words "including member of state senate or assembly."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 8, lines 8 and 9, of the printed bill, omit the word "declaration" and insert in lieu thereof the words "a declaration and sponsor."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 8, line 36, of the printed bill, omit the word "nine" and insert in lieu thereof the letter (I)".

Amendment adopted.

AMENDMENT NUMBER THIRTY ONE.

On page 8, line 39, of the printed bill, omit the word "filed" and insert in lieu thereof the word "filled".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 9, omit lines 44 to 52, of the printed bill, inclusive, and omit all of page 10, inserting in lieu thereof the following:

"SEC. 6. Section thirty-three of said act is hereby amended to read as follows:

Sec. 33. It shall be the duty of the secretary of state and the attorney-general to prepare on or before January 1st, 1924, all forms necessary to carry out the provisions of this act, which forms shall be substantially followed in all primary elections held in pursuance thereof.

SEC. 7. Section thirty-six of said act is hereby amended to read as follows:

Sec. 36. Except for the purpose of providing a method for securing nominations under the provisions of the presidential primary act and of section one thousand one hundred eighty-eight of the Political Code, sections five, six, seven, ten, twenty-five, thirty-three and thirty-six of the direct primary law, as approved June 16, 1913, and amended, are hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Senate Bill No. 452—An act to amend an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 452 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Powers, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 739—An act to amend section 1 of an act entitled 'An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act,' approved June 3, 1921; and relating to the taking effect of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 739 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Sample, Sharkey, Slater, and Swing, 29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Crowley asked for and was granted leave of absence at four o'clock and ten minutes p.m. for remainder of legislative day.

Senate Bill No. 483—An act to require all public service corporations to make a report to the Railroad Commission of the expenditures from any surplus or contingent fund and limiting the purposes for which such funds can be used.

On motion of Senator Dennett, Senate Bill No. 483 was passed on file.

Senate Bill No. 613—An act declaring property used in conducting lotteries, or for any purpose connected therewith, a nuisance, and providing for the abatement thereof.

On motion of Senator Inman, Senate Bill No. 613 was passed on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS— (OUT OF ORDER).

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 853 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, after the semicolon add a paragraph as follows:

"Every person who, in fish and game district 7A, between the first day of August and the thirty-first day of March of the year following, both dates inclusive, takes, catches, kills or has in his possession any trout or salmon is guilty of a misdemeanor."

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, strike out the word "seven" and the letter "A" in line 34.

AMENDMENT NUMBER THREE.

On page 2, line 36, of the printed bill, strike out the words "December thirty-first of the same year" and insert in lieu thereof the words: "January thirty-first of the succeeding year."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 853, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Nelson, adopted.

Bill ordered to print.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Murphy.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 54 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Harris, Hurley, Ingram, Inman, Jones, Lewis, McDonald, Murphy, Osborne, Powers, Sample, and Slater—21.

NOES—Senators Allen, Arbuckle, Burnett, Carr, Chamberlin, Eden, Handy, Hart, Hughes, Johnson, A. B., Lyon, Nelson, Rominger, Sharkey, Swing, and West—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

QUESTION OF PERSONAL PRIVILEGE.

Senator Sample asked permission to address the Senate on personal privilege.

Senator Osborne addressed the Senate on personal privilege in reply to Senator Sample.

Senator Johnson, A. B., addressed the Senate on personal privilege in reply to Senator Sample.

Senator Nelson addressed the Senate in reference to the absence of the Senators.

ADJOURNMENT.

At five o'clock p.m., on motion of Senator Breed, Senator Ingram declared the Senate adjourned until eleven o'clock Monday, May 14, 1923.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, May 14, 1923.

Pursuant to adjournment, the Senate met at eleven o'clock a.m. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, May 11, 1923, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended the following teachers and students of Lincoln Union High School:

Teachers: Miss Ploeg, F. Liotta. Students: Clarence Hughes, Will Ten Eyck, Alfred Rose, Aldo Rizzi, Verna Williams, Richard Leavell, Gertrude Gronlund, Minnie Covington, Lorraine Fleming, Louise Alexander, Bernice French, Francis Carr, Viola Ramsey, Hildegard Cate, Myrtes Bickoff, Ethel Anderson, Sam Gardner, Clara Morrill, Susie Bedigan, Hazel Kelley, Catheryn Gates, Almary Seifert, Caroline Gladding, Coral Ryan, Maurine Gilmore, Ena Nelson, Agnes McCartney, Gladys Parlin, Elroy Berry, Tom Ahart, Stanley Ingersoll, Herman Hansen, and Earl Jensen.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Alphonso Moore of Whittier.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. Charles F. Griffith of San Francisco.

LEAVES OF ABSENCE.

Senator Carr was, on motion of Senator Sharkey, granted leave of absence for this day.

Senator Handy was, on motion of Senator Crowley, granted leave of absence for this day.

REPORT OF SPECIAL COMMITTEE.

The following report of Special Committee was received and read, and ordered printed in the Journal:

To the President and Members of the Senate.

The following is submitted as the report of your Special Committee appointed to investigate the receipts and expenditures of persons, committees, firms, associations, clubs and groups of persons who received

and expended sums of money in excess of \$1,000 to secure the passage or defeat of measures appearing on the ballot at the general election held November 7th, 1922, and to investigate the reasons for the failure by some to file statements of receipts and expenditures with the Secretary of State as required by chapter DLXXXIII, statutes of 1921, providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State, and to report to the Senate, upon the completion of such investigation, the conclusions and recommendations of the committee.

Immediately after its appointment the committee met and organized with Senator Herbert C. Jones as Chairman and Senator Walter Eden as Vice Chairman. The committee secured the services of William Kehoe as special counsel, which he has rendered without charge. Joseph E. Pipher and E. E. Vinson were appointed by the committee and sworn as stenographic reporters. Hearings were begun at once and witnesses were subpoenaed and brought from various parts of the State to testify before the committee. Seven sessions were held in Sacramento during the first portion of the legislative session, five were held in San Francisco during the recess, and two have been held in Sacramento since the Legislature reconvened.

At the outset, and for the purpose of covering as much ground as possible with the time and money available, the measures on the ballot at the last November election were divided into three groups:

(1) Measures submitted by the Legislature, of which there were seventeen (including the Veterans' Validating Act, which though an initiative measure, may properly be considered with the Veterans' Welfare Bond Act, submitted by the Legislature).

(2) Initiative measures, of which there were ten.

(3) Referendum measures, of which there were three.

As no particular contest developed in the election over the seventeen legislative matters, your committee contented itself with writing to the authors of the official arguments in the pamphlet for and against these seventeen measures to ascertain whether or not they had any knowledge of contributions or expenditures, exceeding \$1,000, either for or against any of these respective propositions. Their replies disclosed that in no instance, so far as such authors were aware (excepting Veterans' measures, for which a statement was filed with the Secretary of State), did such contributions or expenditures equal the sum of \$1,000.

With that information at hand, the committee eliminated from further consideration the seventeen legislative matters and confined its investigations to contributions and expenditures made for and against the initiative and referendum measures. Even with the scope of its investigation thus limited, the committee still had neither the time nor the funds necessary to investigate, as exhaustively as it should have liked, all the expenditures on these initiative and referendum measures. It did, however, uncover sufficient information relating to amounts expended and campaign methods employed to furnish material for serious thought on the part of the citizens of California and of the Legislature.

Epitomized, our investigation disclosed two outstanding features:

- (1) Startlingly large expenditures in campaigns on such measures.
- (2) Campaign methods and practices that constitute a menace to our electoral system.

In addition to the foregoing important disclosures our investigations also brought out certain other features:

- (1) Universal approval of the soundness and wisdom of the policy of the legislation requiring publicity of campaign contributions and expenditures.
- (2) A great lack of knowledge of the law prior to the date for filing the pre-election statement, but a general willingness and desire to comply with the law, so far as possible, after its requirements became known.
- (3) Necessity for amendments to the law to make it more comprehensive, as well as more definite and certain.

STARTLINGLY LARGE EXPENDITURES.

While testimony was received as to expenditures on each of the initiative and referendum measures on the ballot (thirteen in all), the committee sought to make as comprehensive as possible, in the time at its disposal, the investigation of expenditures on the measures which it felt the public would, by general acceptance, agree upon as those having involved the greatest contest, being seven in number. The amounts given below as expenditures are only an approximation, for reasons which will be later explained. These seven measures and the expenditures thereon are as follows:

Act	Expenditures	Total
Water and Power Act-----	For \$159,990.05	
	Against 501,605.68	\$661,595.73
Regulating Practice of Law-----	For 50,618.89	
	Against 66,971.41	117,590.30
Prohibition Enforcement Act----	For 79,497.22	
	Against 22,173.24	101,670.46
Chiropractic Act-----	For 64,214.31	
	Against 2,669.81	66,884.12
Land Franchise Tax Act-----	For 9,555.48	
	Against 48,244.50	57,799.98
Osteopathic Act-----	For 40,481.00	
	Against 2,669.81	43,150.81
Housing Act-----	For 13,511.45	
	Against 19,581.28	33,092.73
Total -----		\$1,081,784.13

It is a very significant fact, and one which the people of the State can not too quickly nor too seriously realize, that in the case of each of the foregoing seven most strenuously contested propositions, that side won which spent the most money. Napoleon, in his famous, though sacrilegious statement, claimed that "God is on the side of the strongest battalions." The committee might similarly say, as the result of

its investigation, "Victory is on the side of the biggest purse." The winning of the election by the side that spent the most money in the foregoing contests was too universal to be attributed merely to chance or accident. The power of money in influencing public opinion, its ability to carry popular elections through vast expenditures for propaganda, literature, advertising and organized campaign workers was made strikingly manifest in the investigations of your committee. It presents a problem in direct legislation which the citizens of this State cannot safely ignore.

In addition to the foregoing seven strongly contested initiative and referendum measures, there remain six other initiative measures upon which the expenditures were as follows:

Act	Expenditures	Total
State Budget-----	For \$6,548.08	
	Against -----	\$6,548.08
Initiative (requiring increased signatures) -----	For †	
	Against 10,232.36	10,232.36
Prohibiting Vivisection-----	For *	
	Against 5,169.24	5,169.24
Indeterminate Franchise-----	For -----	-----
	Against -----	-----
Taxation of Publicly Owned Public Utilities -----	For -----	-----
	Against -----	-----
Regulation of Publicly Owned Public Utilities -----	For -----	-----
	Against -----	-----
Total -----		\$21,949.68

†Included in expenditures against single tax.

*No investigation—inability to get witnesses.

The last two propositions appear to have been placed upon the ballot by the San Joaquin Valley Association of Commercial Secretaries, but not even an approximate allocation out of the salaries and expenses of the secretaries of these respective organizations could be arrived at for the purpose of determining what the expenditures were in placing these measures on the ballot and conducting the campaigns for them.

By adding together the expenditures for the six initiative measures last above set forth and the expenditures for the seven measures earlier mentioned, there appears a grand total of \$1,103,733.81 expended in the campaigns in connection with the thirteen initiative and referendum measures.

It must not be assumed, however, that this grand total of \$1,103,733.81 truly represents the total expenditures, on account of the foregoing measure. In two chief particulars the committee found that it was impossible to ascertain the total expenditures in connection with propositions on the ballot.

One of these difficulties arises by reason of the expenditures of sums less than \$1,000 by individuals or local organizations not subsidiary to or a part of a central organization. The aggregate of these local

expenditures may have amounted to substantial sums. For example, it appeared from the testimony that the figures given in this report in connection with the expenditures on the measure regulating the practice of law are not in fact the total expenditures on either side. Many county bar associations expended sums of less than \$1,000 in support of the measure that were not accounted for in the above figure, and were not required to be accounted for under the act of 1921, while individual banks and trust companies likewise expended sums in opposition to the measure that were not included in the above figure. So in the campaign for and against the Prohibition Enforcement Act, the Chiropractic Act, Osteopathic Act, and the Land Franchise Act (single tax), many expenditures were made that were not required to be reported under the provisions of chapter DLXXXIII, but which would have increased materially the campaign expenditures for and against those measures.

A second difficulty in ascertaining the total expenditures for or against measures on the ballot arises from the inability to determine to what extent general advertising was used indirectly for political purposes, and if so, the further inability to determine what portion of the cost of such general advertising should be charged to campaign expenditures.

To illustrate: The campaign against the Water and Power Act was financed almost entirely by a half dozen public utility companies engaged in generating and selling electrical energy. These utilities normally are large advertisers. In order to ascertain whether this general advertising had been utilized as a means of campaign advertising, the committee requested from one of these companies, namely, the Pacific Gas and Electric Company, a statement of its advertising for each month during the year of the election (1922) and during the preceding year (1921). It reported that its advertising was carried under two classifications:

- (1) Financial advertising, relating only to sale of its stocks and bonds.
- (2) Advertising other than financial.

Your committee was furnished with a statement for the second class of advertising for the years of 1921 and 1922, the statement being as follows:

1921		1922	
January	-----\$ 8,395.94	January	-----\$ 3,000.78
February	----- 7,548.73	February	----- 6,259.04
March	----- 6,119.02	March	----- 8,454.07
April	----- 6,298.73	April	----- 7,685.41
May	----- 7,996.08	May	----- 8,227.83
June	----- 5,765.39	June	----- 10,304.05
July	----- 5,328.34	July	----- 6,480.48
August	----- 7,778.26	August	----- 7,578.60
September	----- 5,531.90	September	----- 21,887.93
October	----- 8,107.42	October	----- 15,399.85
November	----- 7,377.09	November	----- 11,843.80
December	----- 6,885.92	December	----- 10,184.63
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\$83,132.82		\$117,306.47	

An analysis of the foregoing advertising account shows that the expenditures for the year 1922 were \$34,173.65 in excess of those for 1921; that the expenditures for the last four months of 1922 (when campaign bills would be coming in) was \$31,415.87 in excess of those for the last four months of 1921; that the expenditures for the last four months of 1922 were greater than those for the first eight months of 1922, whereas during the year 1921 the expenditures for the last four months were in exact proportion to the first eight months. The company denied, however, that there was any connection between the unusual increase of advertising during the months of 1922 when the campaign was most active, and stated that the increase for the year 1922 had no connection with the campaign against the Water and Power Act.

Because of this statement of the Pacific Gas and Electric Company and the other utilities that their increased expenditures for general advertising during the year 1922 had no connection with the Water and Power Act campaign, your committee has not allocated or included any of the increase for general advertising by the utilities during the campaign months in the sum of \$501,605.68, and did not demand similar information from the other public utilities that were active in the campaign against the Water and Power Act.

Whether this increased advertising at the particular time that it was done, could indirectly have such a bearing upon the attitude of the press and the shaping of public opinion during the campaign as to justify the charging or allocating of such increase to campaign expenditures is a question which your committee will have to leave for the Senate and the public to judge.

As a general conclusion, it may be stated that the evidence placed before your committee shows that sums were expended in connection with the campaign on initiative and referendum measures far in excess of any popular conception. Your committee doubts whether even members of the Legislature, to say nothing of the general public, had any idea, before the investigation, of the amount of money used in conducting state-wide campaigns on initiative and referendum measures that provoke any considerable contest. Now that the facts have been brought to public attention every effort should be made both to insist on full publicity of campaign expenditures, and also to devise ways whereby the issues involved in such contests can be presented at less cost than under present conditions.

DECEPTIVE CAMPAIGN METHODS.

It has been previously stated that the two outstanding features of the committee's investigation were:

- (1) The discovery of startlingly large expenditures, and
- (2) The use of questionable, misleading and deceptive campaign methods.

The matter of the large expenditures has been heretofore covered. In reference to the methods employed in connection with the campaigns on some of the propositions on the ballot, the committee found they were such as to have the effect of misleading and deceiving the voter. This arises, for example, out of the use of high sounding, patriotic names under which the real identity of the interested parties and actual pro-

ponents or opponents is disguised. While many campaign committees selected names that fairly indicated their purpose, others selected designations which gave the voter no indication as to the real purpose or nature of the organization. The most conspicuous example of the latter was the use of the name "Greater California League" by the opponents of the Water and Power Act. Such a name readily gives the impression of being a promotion organization which every citizen in California would feel free to join, and having nothing in its name to indicate that it was a political campaign organization.

The testimony before the committee showed that the Greater California League was in reality merely the name under which Eustace Cullinan, employed by the power companies, conducted the campaign against the Water and Power Act in Northern California.

The following extracts from Mr. Cullinan's testimony indicate its actual identity:

"The Greater California League never had control of the money (campaign contributions) at all. I put that money in the bank as I received it to an account called "The Greater California League", but no one had access to that account except me. * * * It was like most of these political groups or committees * * * never had a meeting. * * * I appointed myself president. I was employed by the power companies, through John S. Drum * * * and met, with myself, after the employment, and organized the Greater California League."

Another practice, shown by the testimony to have been extensively resorted to in the campaign and calculated to work deception on the voter, was that of employing as campaign workers, persons prominent in commercial bodies, farm organizations, labor unions, social, literary and civic clubs, without these hired representatives disclosing their employment. In this way members of organizations were kept in the dark as to the real motive of fellow members who were apparently disinterested in their views.

In the selection of campaign workers from the ranks of organizations, frequently members of the greatest prominence were selected, so as to leave no doubt in the minds of the committee that these representatives were being hired, not for the services that they might render, but for the influence that they possessed by reason of their standing and reputation as disinterested members commanding the confidence of their fellows and actuated only by considerations of the welfare of their organizations. These workers were frequently furnished with expense accounts which might properly be designated as "influence money." In several instances no room for doubt is left but that the employment of members of organizations was for the purpose of securing the endorsement and influence of the entire organizations.

To such lengths was this practice carried that in at least two instances those who held salaried positions obligating them to work for measures on the ballot that their organizations had sponsored, accepted employment from opposing interests to work against the very measures that they had been employed to further.

Popular government and direct legislation have no greater menace than that in which propaganda on electoral matters is disseminated

by paid workers in lodge, church, club, farm bureau, union or other organizations under the guise of honest and disinterested advice.

That such methods and such expenditures are contrary not only to good government but to public opinion is apparent from the results that take place when the public become aware of the truth.

CONCLUSIONS AND RECOMMENDATIONS.

Your committee in spite of the fact that its investigations show the expenditure of vast amounts of money in connection with the propositions on the ballot last fall—expenditures aggregating on the initiative and referendum measures considerably over \$1,000,000—is not yet constrained to advise the placing of a limit as to the amount of expenditure, at least not until some means is devised whereby both sides of important issues can be adequately and equally presented to the public at less cost. The thing that must be sacredly guarded, however, and unequivocally insisted upon is publicity. We feel that the voters of California can be safely relied upon to draw their own conclusions if they are enabled to know the amounts and sources of campaign contributions and expenditures. The danger is not in the amount that may be spent, but withholding from the voters the knowledge that it is being spent and by whom and through what channels. The voter can be depended on to properly discount propaganda and to appraise, at its real value, hired opinion if he can only know that it is hired and have the means of distinguishing the disinterested civic worker, lodge member or club leader from the one under political employment. Publicity is the great cleansing force in American politics—pitiless publicity. To insure full and complete publicity in expenditures of all who seek to influence direct legislation should be the policy and purpose of the law of California.

The suggestion has been repeatedly presented to the committee that public utility companies should be prohibited from contributing out of their corporation funds toward any election purposes. Ultimately and in the last analysis, the rate payers, who have no alternative other than to use the service of these utilities, must pay the bill for any campaign contributions made by the utilities unless such contributions be paid out of non-operating revenue. It is therefore one of the recommendations of your committee that the Railroad Commission scrupulously and rigorously exclude all campaign contributions from the charges or expenses on which rates are fixed, so that the public may not be compelled to pay these campaign contributions.

DEFECTS IN EXISTING STATUTE.

Certain weaknesses and defects in the present statute were made manifest in the hearings of the committee. The most important of these weaknesses may be enumerated as follows:

(1) Doubt as to whether the present statute applies to expenditures by an individual or corporation expending its own funds (as distinguished from contributed funds).

(2) Doubt as to whether the present statute includes among election expenses the cost of circulating initiative and referendum petitions.

(3) Need for the filing of an additional and earlier statement in order that better publicity may be secured.

(4) The requiring the filing of the statement immediately prior to election at least seven days instead of five days before election, and extending the time for filing the statement after election to thirty days. The change in the time for the filing of the statement immediately prior to election is recommended for the purpose of getting better publicity, and the extending of time for filing the statement after election is to allow adequate time for all bills to be presented after the close of the campaign.

(5) The imposition of a jail sentence in view of the fact that many campaign committees might willingly pay the fine rather than make public the sources of their contributions and the channels of expenditure.

(6) The filing of statements in triplicate with the Secretary of State in order to enable the Secretary of State without delay to send copies of the statements to the county clerks at Los Angeles and San Francisco as required by the statute.

A copy of the testimony taken before the committee accompanies this report and is filed herewith with the Secretary of the Senate. The items and vouchers for the expense of this investigation appear in detail in the office of the State Controller.

Respectfully submitted.

HERBERT C. JONES, Chairman.
WALTER EDEN.
H. C. NELSON.
M. B. HARRIS.
J. A. ROMINGER.

COMMUNICATION.

The following communication was received by Senator Johnson, A. B., and ordered printed in the Journal:

STATEMENT MADE BY JAMES MILLS OF HAMILTON CITY, IN CONNECTION WITH SENATE BILL No. 696.

Constituents (Fertilizer). The three principal constituents in a complete fertilizer are nitrogen, phosphoric acid and potash.

Source—Nitrogen (Air). There are 2000 tons of nitrogen over every acre of ground and of sea on the earth's surface. This element is extracted from the air in several ways: First—Nature has provided a family of plants, a legume or pea family—which extracts this valuable plant food element from the free nitrogen source of the atmosphere. The nitrogen fixing bacteria soil, operating through the roots of this family of plants, extracts from the air and lays up in the plant for its use, the nitrogen. Second—Electrical storms, to make available some of the nitrogen of the air. Third—Extracting plants have been established in Norway, Sweden and Canada to extract nitrogen from the air in large quantities and for sale to, and use by, farmers for fertilizing purposes.

There is yet no such plant operating in the United States notwithstanding that we have abundant use for this plant food element, and have vast water power with which to extract.

The farmers have been greatly interested in the Muscle Shoals proposition and principally because Henry Ford promises to use this great source of power to extract nitrogen from the air for fertilizing purposes, and on such a large scale that it will be greatly reduced in price and therefore brought within the reach of many industries which now cannot use it.

Chile. Nitrate of soda is mined in large quantities in the Chile, South America, mines. It is controlled largely by Europeans and it is used very largely, more extensively indeed, for making gun powder than in the farming industry of the country as a fertilizer. This source will, ere long, be exhausted.

Gas Plants. The gas plants of the country supply us with a meager quantity of sulphate of ammonia which, through nitrogen fixing bacteria of the soil, is made available to plants.

Packing Plants. We get a considerable supply of blood and tankage from the packing plants of Chicago, Omaha and other packing centers of the United States, which supply gives us nitrogen in the form of ammonia and is of high grade but of meager amount. We import small quantities of blood from Argentina for fertilizer and cattle food purposes.

Fish. This is the source of nitrogen that we are seeking access to and it will be treated below.

Potash. Sulphate of potash, used extensively in this State, is one of the constituents of a complete fertilizer. It is brought exclusively from Germany and France. Those countries control the supply. A chloride of potash is being extracted from one or more of our lakes in the desert country immediately to the east of our State. Small quantities are supplied by the cement plants of the State.

Phosphoric Acid. We receive this plant food element from several sources: First, in mineral form as rock phosphate, from the South Sea Islands of the Pacific and from Florida, Tennessee, the Carolinas and Utah. This mineral substance must be treated by the sulphuric acid process to make it water soluble and therefore readily available to plant life. It reverts, however, to its original state when placed in the soil.

We also receive considerable quantities from our packing plants, the Argentine and Mexico, in the form of bone, either steamed or raw. If raw it must be reduced and made available through the sulphuric acid process. The supply, however, is very short of the demand. Sulphuric acid from bone is much superior and therefore more valuable to the farmer than from the phosphate rocks. The latter must be used in large quantities because the supply of bone is very short of the needs of the farmer.

The fish of the sea will furnish us with large quantities—sufficient quantities of this plant food element if we are allowed access to this supply.

The sea, which we are asking access to for an unlimited supply, will be treated below.

Quality. The value of a fertilizer is valued by the amount that the crop obtained and the value of the crop obtaining it. A pound of nitrogen, phosphoric acid or potash, used in making a crop of celery, asparagus or fruit, eggs, pork, beef or mutton would be more than that used in making a crop of wheat, rye or hay, and—note this—by the amount that the immediate crop is liable to obtain and the proportionate amount of the total that would eventually be gathered.

Note here, and I want to call your attention particularly to this point:

Nitrogen and phosphoric acid from fish is more readily available to plant life and more largely available to the immediate crop than the same elements from any other source, with the exception of nitrogen from Chile saltpetre and the like. The phosphoric acid from this source is much more readily available than from the mineral above mentioned, namely, the rock phosphates and is superior to bone for this source of plant food.

Freight. You will note that we have to import all of our fertilizers—or most of them—and from very distant points, the South Seas, Chile, Florida, Tennessee, Chicago, and even from Norway, Germany and France.

Increase. An increased supply of fertilizer is needed and a very much greater amount will be used by the farmers of this State, if it can be secured at a price that they will be warranted in paying. We cannot now and therefore do not use fertilizer in the growing of cereal because we cannot pay the price and for two reasons—note them—first, the cost is too great because of the freight charges from very distant points and—second—because of this arid country we get but one crop in two years, and that by summer fallowing, and even then we are not sure of our crop.

We cannot control the elements—if it does not rain we do not get the crop, though we summer fallow—if it rains too much we are drowned out. However, if we can get the fertilizer at a low enough figure we can and will use it.

Soil Fertility. We must conserve the fertility of our soil. This State, more than any other state, is engaged in intensive agricultural and horticultural farming. By our intensive cultural methods we exhaust the soil by compelling it to give forth of its richness in great abundance. If we do not return to the soil the plant food elements extracted in the growing of crops, we will soon exhaust it. The old adage may well be applied to our cultural methods: "Always taking out of the meal bag and never putting back brings us soon to the bottom."

Our soil is not like unto the widow's sack of meal and cruse of oil. If we can get a source of supply that is unlimited, or greater than that to which we now have access, the price will be lower, the quantity produced will be greater, and the amount used will be greater and our soil fertility will be conserved and increased as it must be.

Conservation. Let me call your attention particularly to this. It is vital and should be pressed in your argument. The farmers of America have been miners rather than farmers. We have had a vast domain to draw upon. The sons of the New Englander, as their home farms became more or less impoverished moved west to Illinois and Ohio. The sons of these men moved further west into the Dakotas, Minnesota, Nebraska and Iowa and the sons of these moved still further west until now we have reached the confines of the nation's holdings on the Pacific Coast.

We have no great free domain accessible to the sons of the present generation. We have got to the point where we must conserve our soil fertility. The sons of the fathers of today must stay on the land that their fathers cultivated. They must not only conserve its fertility, but increase it, if food in sufficient quantities shall be produced to feed the nation. For this purpose we must have large supplies of reasonably cheap fertilizer.

Other Nations. Other nations, principally in Europe, have been compelled long since to use large quantities of fertilizer, to conserve and increase the virgin fertility of their soil. They have done so with great benefit. They have had access to supplies which have been denied us.

FISH AS A SUPPLY OF FERTILIZER FOR CALIFORNIA FARMERS.

We are seeking through Senate Bill No. 696 access to what we claim to be an unlimited supply of the plant food elements—nitrogen and phosphoric acid—and in a condition when reduced from fish, more readily available to plant life than from any other source.

Fish meal can be had in our reduction plants all along our coast line in great abundance; in sufficient quantities to meet our immediate and increasing needs. From the fish we manufacture fish meal and oil. Fish meal is used not only for fertilizer in the soil but as food for chickens, cattle, sheep and hogs. With it we can greatly increase and will increase our production of fruit and grain crops, and eggs and meat products. It is claimed by some, and honestly so, that there is danger of exhausting the supply of sardines on our shore by taking in unlimited quantities for four months each year. I call your attention to the fact that no other nation and no State in this nation limits the catch of fish in their waters.

Two hundred million tons of herring are taken each year in European waters for food and fertilizer and oil purposes. Before the war France had eight thousand boats engaged in her herring fisheries. Thirty-two thousand fishermen were engaged in the industry and 240,000 men and women were engaged on shore preparing the catch for market. A like number still are engaged in this French industry.

England, Scotland, Belgium, Holland, Germany, Denmark, Norway, Sweden, Italy and Portugal take in unlimited quantities. On the Atlantic coast, in the Chesapeake Bay and in the main harbors a vast tonnage is taken from the sea. No limit is put upon the catch.

In Reedville, Virginia, a large industry has been built up; many reduction plants are constantly at work and great tonnage of fertilizer is manufactured, some of which is shipped across the continent to our western shores.

Some 90,000 tons were manufactured recently on the Atlantic Coast.

The herring family has about 200 members and is to be found in all the seas and principal rivers and bays of the world. Members of this family are found in vast quantities from Gibraltar to Iceland, on the shores of Portugal, in the bay of Biscay, in the North Sea, and using Iceland as an intermediate station for migrating the polar seas to Greenland and down by the shores of Labrador, New Foundland, Nova Scotia, New Brunswick, the main coast and as far south as the Carolinas.

They are found in vast quantities all along the Pacific Coast and as far north as Alaska. They cross over to Japan, Siberia and down past the Philippines through the South Sea Islands to the shores of Australia and New Zealand. They are found all along the coast of India and the Hilsa, the same as our shad caught in vast quantities in the rivers of India. They are all along the coast of Africa. Everywhere this natural food of the very large fish of the sea is found in unlimited quantities. Nature has so provided it because it is the natural food of the denizens of the deep. We believe it is unlimited in quantity.

The herring industry was the foundation of the great sea power of Holland in the fifteenth century. It was the foundation of the wealth of the Hansaetic cities, Germany and Holland. It has been taken without limit for centuries without any apparent decrease in the numbers. It is a migratory fish. It spawns no man knoweth where—in the deep seas. Their eggs are found attached to the sea weeds and stones at the bottom of the sea. They are the natural food, I say again, of the whale, the shark, the salmon, tuna, mackerel and other fish of the sea, and as well of the myriad products that inhabit the coast of the main land and islands.

Quantity. Let me call your attention to this point because it is illuminating. There has been found in the stomach of the whale 1200 tons of herring. The whale eats twice a day and approximately one and one-quarter tons constitutes the fish food supply of the whale for one day, or approximately 400 tons per year. Three hundred whales were caught off the Bay of Monterey last year. Note the tremendous amount of food supply taken by the whale.

Whale Industry. We have built up a great industry catching whales for their oil and beef steaks; the walrus for its oil and skin. Our own main fishing fleet collected 100,000 walrus in the North Sea in one year. We are taking the shark for its oil and its hide, the hide being found superior to any other leather; the oil being used now in large quantities in the paint and other industries.

Now let me call your attention here to the fact that we are, through the destruction of these great animals of the deep, saving more herring and sardines than we are asking to take from our own coast fisheries for fertilizer and animal food.

Food. The only outstanding strong argument that is made by those opposed to this bill is that we are threatening the destruction or extinction of a great source of human food. This is our answer. Others like fish—we do not. The hundred million people in America consumes but one-third of the sardines caught and canned in our fisheries. The balance is shipped abroad.

We do consume large quantities of fruit, cereal and vegetables of all kinds. We ask to be permitted to take unlimited quantities of fish and convert them into plant food, which will produce from two to eight tons, according to the product raised, for every ton of fish meal used. We ask permission to convert fish into that class of food which this nation consumes. We will produce more food by far than we take from the sea. We will produce vastly more eggs because the fish meal is a splendid source of chicken food. We will produce more pork and beef per month. We will produce far more oranges and lemons, more peaches and cream, more chickens and eggs, more prunes and apricots, more walnuts and almonds.

Let me again call your attention to the fact that the whales and very large animals of the sea which we are now catching, would devour more herring each year than we are asking to take. We take the whale and the shark, the salmon and the tuna, and take as well the herring and sardines that otherwise they would take.

Increased Catch. Increased catch will reduce the cost from \$70 to \$40 and perhaps \$30, and the increased supply at the lowered selling price will increase proportionately the use. The increased use will increase proportionately the production of every food product and will enable us to use fertilizer in the growing of our cereal crops.

The increased production at the lower selling price will give us more chickens and eggs, more oranges and lemons, more peaches and cream.

Importation. We are now importing from European countries, the Atlantic coast and Japan, quantities of fish meal which should be taken from our own waters. If we take from our own waters what we are now buying those who are now selling it to us will not take the fish supply necessary to manufacture the product now being sold to us. Others take, without limit, and sell to us because we have been limited. Why limit us and compel us to buy from others whose governments do not limit them?

It will be time enough to place a limit upon our catch when Japan and the other countries bordering on the Pacific ocean, the Atlantic states and European nations place a limit upon their fisheries.

Let me call your attention again to the migratory nature of the sardine and herring. They may spawn in our coast and migrate to Japan or Australia where they can be taken in unlimited quantities.

In closing let me say that if there was any danger; if there were any statistics going to show that there was any danger of exhausting this great source of food supply we would not press our claim to use it as a fertilizer and as animal food, even though we know we can produce two to eight tons of a higher class food with each ton of fish meal. We say this for the reason that if this source of supply became exhausted through an unlimited take or catch we could not have it for human food directly, or indirectly as fish, or indirectly in the shape of eggs, fruit and vegetables.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff. McElvaine against the State of California;

Also: Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County to be known as the G. H. Douglas Bridge and making an appropriation therefor;

Also: Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishing of fires in Tamalpais Forest Fire District;

Also: Assembly Bill No. 154—An act relating to employment where the work is to be performed outside of this State by persons hired within this State; prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof;

Also: Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 41 read first time, and referred to Committee on Finance.

Assembly Bill No. 60 read first time, and referred to Committee on Finance.

Assembly Bill No. 114 read first time, and referred to Committee on Finance.

Assembly Bill No. 154 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 236 read first time, and referred to Committee on Hospitals and Asylums.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor:

Also: Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California;

Also: Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor:

Also: Assembly Bill No. 380—An act appropriating money for expenditure as directed by the Division of Water Rights of the Department of Public Works of the State of California in aiding the Department of Interior of the United States in stream gaging work in the State of California;

Also: Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly;

Also: Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 237 read first time, and referred to Committee on Finance.

Assembly Bill No. 241 read first time, and referred to Committee on Finance.

Assembly Bill No. 309 read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 380 read first time, and referred to Committee on Finance.

Assembly Bill No. 285 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 404 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California;

Also: Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California;

Also: Assembly Bill No. 466—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended;

Also: Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor;

Also: Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio canyon in the San Gabriel mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel mountains and to make an appropriation therefor:

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 441 read first time, and referred to Committee on Finance.

Assembly Bill No. 451 read first time, and referred to Committee on Finance.

Assembly Bill No. 466 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 484 read first time, and referred to Committee on Finance.

Assembly Bill No. 511 read first time, and referred to Committee on Finance.

Assembly Bill No. 512 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 521—An act to amend the title of chapter XI of title XIII of part I of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers;

Also: Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an aircraft department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

Also: Assembly Bill No. 566—An act to amend the California Irrigation District Act approved March 31, 1897, as amended, by adding thereto a new section to be numbered 38a, relating to the assessment of land irrigated by means of water pumped from underground sources;

Also: Assembly Bill No. 601—An act to repeal section 626u of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 608—An act regulating the sale and use of poisons in the State of California; providing penalties for the violation thereof; and repealing all acts and parts of acts in conflict with the provisions of this act.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 521 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 552 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 566 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 601 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 608 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 609—An act making an appropriation for the grading, paving, curbing, guttering and drainage of certain streets fronting on property of the State in the city of Sacramento, California;

Also: Assembly Bill No. 641—An act making an appropriation to pay the claim of the B. F. Coulter Association, a corporation, against the State of California;

Also: Assembly Bill No. 651—An act to provide for the celebration of the national encampment of the Grand Army of the Republic in the city of Pasadena, California, and making an appropriation therefor;

Also: Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California;

Also: Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board; authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 609 read first time, and referred to Committee on Finance.

Assembly Bill No. 641 read first time, and referred to Committee on Finance.

Assembly Bill No. 651 read first time, and referred to Committee on Finance.

Assembly Bill No. 652 read first time, and referred to Committee on Finance.

Assembly Bill No. 668 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers;

Also: Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669a of the Political Code.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 740 read first time, and referred to Committee on Finance.

Assembly Bill No. 741 read first time, and referred to Committee on Finance.

Assembly Bill No. 794 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 841 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 849 read first time, and referred to Committee on Finance.

Assembly Bill No. 856 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court;

Also: Assembly Bill No. 937—An act to amend sections 927*c* and 927*l* of the Code of Civil Procedure, relating to the small claims court;

Also: Assembly Bill No. 980—An act relating to boards and commissions holding under appointment of the Governor;

Also: Assembly Bill No. 981—An act to amend section 360*c* of the Political Code, relating to a Department of Finance;

Also: Assembly Bill No. 1005—An act to amend sections 5 and 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended;

Also: Assembly Bill No. 1006—An act to provide for the reversion of unexpended balance of certain appropriations, and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 26, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 936 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 937 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 980 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 981 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1005 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1006 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal;

Also: Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health department; to enable the State Board of Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose;

Also: Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to Department of Finance;

Also: Assembly Bill No. 1111—An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during

good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1117—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1020 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1044 read first time, and referred to Committee on County Government.

Assembly Bill No. 1058 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1111 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1117 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1127—An act to amend sections 7 and 14 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics; to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Assembly Bill No. 1129—An act to add a new article to chapter VIII of title II of part IV of the Political Code, to be numbered article I and embracing sections 4214 to 4220, both inclusive, relating to the county engineer, and to repeal all acts in conflict;

Also: Assembly Bill No. 1155—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts;

Also: Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1127 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1129 read first time, and referred to Committee on County Government.

Assembly Bill No. 1155 read first time, and referred to Committee on Education.

Assembly Bill No. 1197 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1273—An act to provide for the care of under-nourished pupils in the public elementary schools by elementary school boards, to provide for the levy

of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children;

Also: Assembly Bill No. 1290—An act to provide for the appointment of a committee to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor;

Also: Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities;

Also: Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1273 read first time, and referred to Committee on Education.

Assembly Bill No. 1290 read first time, and referred to Committee on Education.

Assembly Bill No. 1306 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1320 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation;

Also: Assembly Bill No. 1336—An act to amend section 4149a of the Political Code, relating to the duties of the county live stock inspector;

Also: Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant;

Also: Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State;

Also: Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party;

Also: Assembly Bill No. 1358—An act providing for the payment into the State Treasury of all moneys belonging to the State received by any State department or agency; regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1332 read first time, and referred to Committee on Finance.

Assembly Bill No. 1336 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1337 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1347 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1352 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1358 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed;

Also: Assembly Bill No. 1364—An act to amend section 2 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, and to add a new section thereto to be numbered section 4:

Also: Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list;

Also: Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1361 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1364 read first time, and referred to Committee on Finance.

Assembly Bill No. 1367 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1368 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608a, relating to school districts;

Also: Assembly Bill No. 1370—An act to add a new section to the Political Code, to be numbered 737ab, relating to the salaries of superior court judges in and for the county of Contra Costa;

Also: Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California, located in the city and county of San Francisco, upon certain trusts and conditions;

Also: Assembly Bill No. 1377—An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33, and 36 of an act entitled "An act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911: amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Assembly Bill No. 1369 read first time, and referred to Committee on Education.

Assembly Bill No. 1370 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1376 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1377 read first time, and referred to Committee on Elections.

Assembly Bill No. 1378 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California.

ARTHUR A. OILNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Assembly Concurrent Resolution No. 24 read, and referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Joint Resolution No. 27—Relative to federal taxes:

Also: Assembly Joint Resolution No. 28—Relative to requesting the federal government to prevent the destruction of the Leevining Creek falls in the Mono national forest.

ARTHUR A. OILNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Assembly Joint Resolution No. 27 read, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 28 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Constitutional Amendment No. 39—Proposed amendment to add article XXIV of the constitution, relative to boxing exhibitions:

Also: Assembly Constitutional Amendment No. 47—Proposed amendment to article XIII of the constitution, relative to a poll tax:

Also: Assembly Constitutional Amendment No. 49—Proposed amendment to article XIII of the constitution, relative to the exemption of State and municipal bonds from taxation:

Also: Assembly Constitutional Amendment No. 52—Proposed amendment to article XIII of the constitution, relative to tax exemption.

ARTHUR A. OILNIMUS, Chief Clerk.

By E. E. EUSTICE, Assistant Clerk.

Assembly Constitutional Amendment No. 39 read, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 47 read, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 49 read, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 52 read, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

SWING, Chairman.
WEST.
LYON.
CANAPA.
POWERS.
SHARKEY.
SLATER.

Assembly Bill No. 515 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the Governor's message relative to the claim of J. B. Curtin:

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, March 29, 1923.

To the Senate of the State of California.

GENTLEMEN: Pursuant to the provisions of section 6 of chapter 828 of the Statutes of 1921, entitled "An act to authorize suits against the State for services rendered to the State or for moneys expended in connection with such services, and regulating the procedure therein," approved June 3, 1921, J. B. Curtin has recovered a judgment against the State of California for the sum of \$11,947.00, which judgment has been affirmed by the District Court of Appeal, in and for the Third Appellate District, and is now final.

Very respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Has had the same under consideration, and respectfully reports the same back, and recommends that the message be re-referred to the Committee on Finance.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

On motion of Senator Breed, the report of the Committee on Rules relative to the Governor's message was ordered re-referred to Committee on Finance.

RE-REFERENCE OF BILL.

On motion of Senator Denmett, Assembly Bill No. 320 was taken from the file and ordered re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363 and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or

electors; to require all election officers, county clerks, registrars of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "an" strike out the word "unsealed" and insert in lieu thereof the word "sealed".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, after the word "clerk" at the end of the line strike out the period and insert in lieu thereof the following "; *provided, however,* that the county clerk may open such envelope upon receipt thereof at the office of such county clerk".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the following: ", by adding", and all of line 4 and in lieu thereof insert a period.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the period following the word "reside" and insert the following: "; *provided,* that the state board of education may delegate the work and responsibility of taking testimony to a member of said board who shall be allowed his actual and necessary traveling expenses and such per diem allowance as is made to members engaged in committee work in section one thousand five hundred twenty-one of the Political Code."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 27, of the printed bill, strike out the words "Within ten days" and insert in lieu thereof the following: "At its next regular or special meeting".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, strike out the word "superintendent" and insert in lieu thereof the words "board of education".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill, after the word "teach" strike out all of the balance of that line, and, also, strike out all of lines 32, 33, 34, 35, inclusive, and, also, strike out to and including the word "teach" in line 36.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "seventy" and insert in lieu thereof the word "sixty".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1357—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 653—An act to add a new section to be numbered section 15b to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 139—An act to amend sections 170 and 298 of the Code of Civil Procedure, relating to the disqualification of judges.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 25, of the printed bill as amended, after the word "trustee" insert the word "or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 29, of the printed bill as amended, after the word "California" insert the words "or against an irrigation district, which action involves only the right of such district to use or divert water".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 711—An act to add a new section to the Penal Code, to be numbered 207a, relating to punishment for kidnaping when committed by the use of an automobile.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Commencing at the word "and" in the second line of the title, strike out down to and including the comma after the letter "a" and before the word "relating" on the third line of the title.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, commencing at the word "every" strike out the rest of the bill to and including the period after the word "trial" on line 16, same page, and insert in lieu thereof, the following: "Kidnapping is punishable by imprisonment in the State prison not less than one nor more than twenty-five years."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 471 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Godsil, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 472—An act to amend section 1588 of the Political Code, relating to the appointment and election of union and joint union elementary school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 472 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 473—An act to amend sections 1589, 1589a, 1590, 1591, 1591a of the Political Code, and to repeal section 1589b of the Political Code, relating to union elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 473 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1166 passed by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Gates, Godsil, Gray, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—Senators Boggs, Chamberlin, Eden, Hart, Lyon, and Rominger—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 810 was refused passage by the following vote:

AYES—Senators Boggs, Creighton, Dennett, Hurley, Inman, Johnson, M. B., Jones, McDonald, Murphy, and Powers—10.

NOES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Chamberlin, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Harris, Hart, Hughes, Ingram, Johnson, A. B., Lewis, Lyon, Nelson; Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

LEAVE OF ABSENCE.

Senator Ingram asked for and was granted leave of absence at twelve o'clock and forty minutes until two o'clock and thirty minutes.

Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1080 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Assembly Bill No. 838 passed on file.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts: the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 685 passed by the following vote:

AYES—Senators: Allen, Arbuttle, Boggs, Breed, Bennett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

Assembly Bill No. 1293 passed on file.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 749 to Senator Osborne, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after the word "husbandry" insert the following: "and other farm necessities".

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, after the word "from" insert the words "and to".

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, before the word "loading" insert the words "and from".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 749, with instructions to amend, respectfully reports the same back, amended as per instructions.

OSBORNE, Special Committee.

Report read, and on motion of Senator Swing, adopted.

Bill ordered to print.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 80 to Senator Swing as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill as amended May 8, 1923, in line 13 after the word "dollars" insert the following: "per month."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 80, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Sharkey, adopted.

Bill ordered to print.

APPOINTMENT BY THE PRESIDENT.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

To the Senate of the State of California.

I beg leave to inform you that I have appointed Charles Spalding as Page, at a per diem of \$2.50; and respectfully request the consent of the Senate thereto.

C. C. YOUNG, President of the Senate.

Senator Breed moved that the Senate consent to the appointment, by the President of the Senate.

The roll was called, and the consent of the Senate granted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair. Assistant Secretary G. Melvin Warren at the desk.

SENATOR GATES, E. J., IN THE CHAIR.

At two o'clock and three minutes p.m., Senator Gates, E. J., of the thirty-fifth district, was called to the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district;

Also: Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same;

Also: Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 40a, relating to the refunding and correction of assessments;

Also: Assembly Bill No. 580. An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds or irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 36 thereof, relating to consent of commission for expenditure of funds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Assembly Bills Nos. 229, 569, 573 and 580 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 570—An act to amend section 397 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Assembly Bill No. 570 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Assembly Bill No. 571 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27a, relating to the appointment of deputies—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

DENNETT, Chairman.

Assembly Bill No. 572 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 165—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

JONES, Chairman.
SAMPLE.
EDEN.
CHAMBERLIN.
WEST.
DENNETT.
SWING.
JOHNSON.
BURNETT.
LYON.

Assembly Bill No. 165 re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 420—An act to add a new section, to be numbered section 89, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended, relating to reports to be made by physicians to police authorities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CROWLEY, Chairman.
GRAY.
LYON.
POWERS.
GATES, DR.
CANEPA.

Assembly Bill No. 420 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 10—Relating to protection of forests from fire—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—5; committee vote: Ayes—5.

EDEN, Chairman.

Assembly Joint Resolution No. 10 ordered on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS—
(OUT OF ORDER).

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Assembly Bill No. 13 passed on file.

Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays.

Assembly Bill No. 783 passed on file.

Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district.

Assembly Bill No. 979 passed on file.

Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1064 passed by the following vote:

AYES—Senators Allen, Breed, Chamberlin, Creighton, Crowley, Gates, Dr., Gates, E. J., Gray, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Sample, Slater, and Swing—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

Assembly Bill No. 1343 passed on file.

Assembly Bill No. 424—An act to add two new sections to the Penal Code, to be numbered 1599*a* and 1599*b*, relating to property taken from persons detained in city, county, or city and county jails.

Assembly Bill No. 424 passed on file.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Assembly Bill No. 74 passed on file.

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

Assembly Bill No. 853 passed on file.

Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Gates, Dr., Gates, E. J., Godsil, Gray, Hurley, Ingram, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, and Swing—26.

The Secretary announced the absentees.

Time, two o'clock and forty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF THE SENATE.

Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 1346 to Senator Gates, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, strike out the word "then".

AMENDMENT NUMBER TWO.

On page 3, line 46, of the printed bill, after the word "Treasury" insert the words "which may legally be used for the purpose of cancelling such unsold bonds as hereinbefore provided".

AMENDMENT NUMBER THREE.

On page 3, line 47, of the printed bill, strike out the first word "the" and insert in lieu thereof the word "such".

AMENDMENT NUMBER FOUR.

On page 4, line 25, of the printed bill after the word "created" insert the words "To the extent thereof and the reclamation board shall provide in the manner now or hereafter prescribed by law therefor any further funds required to complete said work and to pay and discharge the outstanding obligations of said project".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1346, with instructions to amend, respectfully reports the same back, amended as per instructions.

GATES, DR., Special Committee.

Report read, and on motion of Senator Nelson, adopted.

Bill ordered to print.

Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 897 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Gates, E. J., Gray, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—26.

NOES—Senator Rominger—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1362 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Sharkey.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 1227 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Powers, Rominger, Rush, Sample, Sharkey, and Slater—28.

NOES—Senators Burnett, Chamberlin, Gates, Dr., Gray, Hart, Murphy, Osborne, and Swing—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 792—An act to amend section 626 of the Penal Code, relating to the shooting from moving boats.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 792 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Slater, Swing, and West—35.

NOES—None.

TITLE AMENDED.

Senator Nelson moved to amend the title to Assembly Bill No. 792 by striking out the period at the end of line 2 of the title and by adding the following: “, moving vehicles or airplanes, also relating to use of certain guns and nets.”

Title read and amended.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 85 was passed, was continued until the next legislative day.

Assembly Bill No. 1100—An act permitting the insertion of provisions in contracts for public work for the arbitration of disputes arising under such contracts or in the performance of the work thereunder between the contracting parties.

Assembly Bill No. 1100 passed on file.

Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans'

Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1363 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Crowley, Eden, Gates, Dr., Godsil, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 159 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Assembly Bill No. 1038 passed on file.

Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Assembly Bill No. 1052 passed on file.

Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to the establishment of chambers by judges of the superior court in cities other than the county seat.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1157 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Broad, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Gotsil, Gray, Harris, Hart, Harkey, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1159—An act to amend sections 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1159 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Broad, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Gotsil, Gray, Hart, Harkey, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices.

Assembly Bill No. 1266 passed on file.

Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751a, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1319 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Broad, Canepa, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Gotsil, Gray, Harris, Hart, Harkey, Ingram, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—Senators Lyon, and Rominger—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1342 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Broad, Canepa, Creighton, Crowley, Gates, Dr. Gates, E. J., Gotsil, Gray, Harris, Hart, Ingram, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 125 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Hart, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 495 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Ingram, Jones, Lewis, McDonald, Murphy, Rush, Sample, Sharkey, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 496—An act to amend section 927a of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 496 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Hart, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and

Measures and his deputy, sealers of weights and measures and their deputies: defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Assembly Bill No. 550 passed on file.

Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086 and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof.

Assembly Bill No. 1322 passed on file.

Assembly Bill No. 1324—An act to amend section 19,26 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1324 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Gray, Hart, Hughes, Hurley, Ingram, Laman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1356—An act to amend section 19f of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses

with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1356 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Gray, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, Murphy, Nelson, Osborne, Rush, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Harris asked for and was granted leave of absence at three o'clock and forty-five minutes for remainder of legislative day, and for Tuesday, May 15, 1923.

Senator Dennett asked for and was granted leave of absence for Tuesday, May 15, 1923.

Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject.

Assembly Bill No. 263 passed on file.

Assembly Bill No. 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 829 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rush, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Murphy moved to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused adoption.

The question being on the motion to reconsider Assembly Constitutional Amendment No. 6.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Murphy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arluckle, Beggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush Slater, Swing, and West—29.

The Secretary announced the absentees.

Time, three o'clock and fifty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF SENATE.

Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 84 to Senator Sample as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after and following the comma after the word "indefinite" strike out the word "and" and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO.

On page 3, line 14, of the printed bill, strike out the comma and the word "or" and all of the balance of said line and all of lines 15 and 16, and insert in lieu thereof a period.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Lyon, Murphy, and Chamberlin upon the motion to refer to a Special Committee of One, and the motion carried by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Rominger, Sample, Swing, and West—22.

NOES—Senators Canepa, Crowley, Godsil, Inman, McDonald, Murphy, Powers, and Slater—9.

Bill ordered to print.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Murphy.

The Secretary was directed to call the roll, on the motion to reconsider, of the Senators who had not answered to their names.

The roll was called, and the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 6 was refused passage lost by the following vote:

AYES—Senators Breed, Burnett, Canepa, Chamberlin, Crowley, Eden, Gates, Dr., Godsil, Gray, Hart, Hughes, Hurley, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Powers, Rush, Sample, Sharkey, and Swing—23.

NOES—Senators Allen, Arbuckle, Boggs, Creighton, Dennett, Gates, E. J., Ingram, Johnson, M. B., Jones, Nelson, Osborne, Rominger, Slater, and West—14.

RE-REFERENCE OF BILLS.

On motion of Senator Slater, Assembly Bill No. 1304 was taken from the file and ordered re-referred to Committee on Elections.

On motion of Senator Powers, Assembly Bill No. 1175 was taken from file and ordered re-referred to Committee on County Government.

ADJOURNMENT.

At four o'clock and twenty-five minutes p.m., on motion of Senator Breed, Senator Gates, E. J., declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, May 15, 1923.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, May 15, 1923.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

Quorum present.

PRAYER.

Prayer was offered by Rev. David C. Williams, Assemblyman from the forty-ninth district.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, May 14, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Ex-Senator J. W. Stuckenbruck of San Joaquin County.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. W. A. Finley of Santa Rosa.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended Mrs. Ellen E. O'Brien of Martinez.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Dorothy Inman and Miss Molly McGuire of Sacramento.

On request of Senator Godsil, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Jos. Gallagher, member of the Assembly thirty years ago, and Mrs. J. Tracy, San Francisco.

On request of Senator Eden, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Chas. S. Knowlton of Fullerton.

On request of Senator McDonald, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Madam Grosjean of San Francisco.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended the following from eighth B grade, Leland Stanford School:

Teachers—Mrs. May C. Norboe, and Miss Fannie Hoyt. Pupils—Ella Wimperis, Clarice Bottently, Marjorie Hess, Chester Barnett, Joseph Bolan, Jack Stasse, Louis Monyer, Edward Spindler, Mikey Koschell, John Skogg, Elton Lower, Raymond Haeker, Leslie Raymond, Gene McShane, Raymond Rodda, Elroy Barton, Albert Hofstetter, Floyd Gregg, Cecelia Walker, Charlotte Connover, Leona Hathaway, Hazel Banks, Theresa Zito, John Norton, Victor Zito, George Cusanza, Catherine Uhl, Ethel Baskeen, Ruth Asher, Margaret Selliers, Westley Bowlen, Stanley Russell, and George Bowden.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Tracy West Side Union High School:

Teachers—L. E. Richards, Miss Lelia Sloan, and Miss Minerva E. Turner. Pupils—Arthur Alfonso, Dorothy De Nier, Evelyn Gear, John McCusker, Doreen Barber, Maxwell Conklin, Malcolm Tisher, Katherine Taylor, Ruth Cooley, Lawrence Moore, Celestine Richards, Eva Miljarak, Leland Tschierschky, Jessie Allen, Anna Rustan, George Brandeman, Mary Telonich, May Mulley, Ethel Von Sosten, Margaret Sloan, Bertha Gibson, Blythe Richards, Howard Blewitt, Carson Willis, Charlie Payne, and Mary Tyson.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Peter Brown of San Francisco.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1166—An act to amend section 2924 and 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bill No. 1166 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 21, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 216 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED NINETY-TWO.

Senator Crowley asked for and was granted unanimous consent to take up Senate Bill No. 192.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out the word "five" in line 10 and insert in lieu thereof the word "four".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 192?"

The roll was called, and Assembly amendment to Senate Bill No. 192 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

Senate Bill No. 192 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900a, relating to uniform proof of statutes—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SEVENTY-FOUR.

Senator Lyon asked for and was granted unanimous consent to take up Senate Bill No. 74.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 4 of the printed bill strike out all of lines 4 to 9 inclusive.

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 74?"

The roll was called, and Assembly amendment to Senate Bill No. 74 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Carr, Creighton, Crowley, Eden, Gates, Dr., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Senate Bill No. 74 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OLINIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWO.

Senator Carr asked for and was granted unanimous consent to take up Senate Bill No. 202.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 202.

An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED TWO.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "illegitimate" insert the word "minor".

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, after the period following the word "excuse" insert the following: "In the event that the father of either a legitimate or illegitimate minor child is dead or unable by reason of physical or mental infirmity to furnish the necessary food, clothing, shelter or medical attendance for his minor child, the mother of said child shall become subject to the provisions of this section and be criminally liable for the support of said minor child during the period of inability on the part of the father to the same extent and in the same manner as the father would have been had it not been for his physical or mental infirmity."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in the third line of the title, insert a period after the word "child" and strike out the remainder of the title.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 202?"

The roll was called, and Assembly amendments to Senate Bill No. 202 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—30.

NOES—None.

Senate Bill No. 202 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OLINIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED TWENTY-SIX.

Senator Gray asked for and was granted unanimous consent to take up Senate Bill No. 126.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED TWENTY-SIX.

AMENDMENT NUMBER ONE.

On page 2, line 30, after the word "given" insert: "*provided, however, that veterans of the U. S. Army, U. S. Navy and U. S. Marine Corps, who possess an honorable discharge from such service, and who are of good moral character and who have been engaged for hire in mechanical dentistry, and who actually demonstrate by work done at an examination conducted by said board of dental examiners, their fitness and skill as dental technicians, shall, in the discretion of said board of dental examiners, be licensed to become such dental technicians without further test or examination.*"

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 126?"

The roll was called, and Assembly amendment to Senate Bill No. 126 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Carr, Creighton, Eden, Gates, Dr., Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B., Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, and Swing 23.

NOES—None.

Senate Bill No. 126 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your Honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 685—An act to amend section 860 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED EIGHTY-FIVE.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Bill No. 685.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 685—An act to amend section 860 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "the" after the word "that" and insert in lieu thereof the letter "a".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "defendant" insert the following, "represented by counsel".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 685?"

The roll was called, and Assembly amendments to Senate Bill No. 685 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram,

Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West 32.
 NOES—None.

Senate Bill No. 685 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
 By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED TWENTY-EIGHT.

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 628.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED TWENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, following the word "annum", add the words: "and a clerk and stenographer at thirteen hundred and eighty dollars per annum".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 628?"

The roll was called, and Assembly amendment to Senate Bill No. 628 concurred in by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharky, Slater, Swing, and West 31.

NOES—None.

Senate Bill No. 628 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
 By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FIFTY-EIGHT.

Senator Lyon asked for and was granted unanimous consent to take up Senate Bill No. 158.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED FIFTY EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, as amended March 29, 1923, strike out the word "of" and insert in lieu thereof the word "or".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 158?"

The roll was called, and Assembly amendment to Senate Bill No. 158 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

Senate Bill No. 158 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 510—An act creating the California Military Reserve providing for the appointment of officers therein and when said reserve may be called into active service—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TEN.

Senator Sample asked for and was granted unanimous consent to take up Senate Bill No. 510.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED TEN.

AMENDMENT NUMBER ONE.

On page 1, lines 9 and 10, of the printed bill, strike out the words "in case of insurrection, invasion, tumult, riot or imminent danger thereof", and insert in lieu thereof the words "in time of war."

AMENDMENT NUMBER TWO.

On page 3, line 18, of the printed bill, after the word "war" insert a period and strike out the rest of the line and strike out all of line 19.

AMENDMENT NUMBER THREE.

On page 3, line 29, of the printed bill, after the word "service" insert a period and strike out the word "for" and strike out all of lines 30, 31 and 32.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 510?"

The roll was called, and Assembly amendments to Senate Bill No. 510 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Senate Bill No. 510 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280a and 1280b, relating to justification of bail;

Also: Senate Bill No. 160—An act to repeal title I, and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as section 35a, 1097, 1098, 1099, 1100, and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states;

Also: Senate Bill No. 174—An act declaring and establishing a State highway between Alturas, in Modoc County, and New Pine Creek on the California-Oregon state line;

Also: Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the State of Arizona opposite the town of Topoc, Arizona, to be a State highway;

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 24, 160, 174 and 305 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 553—An act to amend section 1142a of the Political Code, relating to election laws;

Also: Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257a, relating to the duties of election officers;

Also: Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure to be designated as section 1248a, relating to proceedings for the condemnation of property when there are adverse or conflicting claims in and to such property;

Also: Senate Bill No. 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district;

Also: Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes;

Also: Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor;

Also: Senate Bill No. 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale, and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 553, 554, 652, 686, 698, 714 and 718 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship;

Also: Senate Joint Resolution No. 12—Relative to the employment of war veterans at the Soldiers' Home at Sawtelle.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Joint Resolutions Nos. 13 and 12 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry;

Also: Senate Joint Resolution No. 15—Relative to industrial disputes.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Joint Resolutions Nos. 19 and 15 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Senate Concurrent Resolution No. 24—Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923;

Also: Senate Concurrent Resolution No. 22—Approving amendment to the charter of the county of Los Angeles, State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Concurrent Resolutions Nos. 24 and 22 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds;

Also: Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto;

Also: Senate Bill No. 562—An act to amend the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance;

Also: Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts and change of boundaries of school districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 396, 716, 562 and 499 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor;

Also: Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases;

Also: Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 142, 14 and 250 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties:

Also: Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended:

Also: Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 220, 289 and 498 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended:

Also: Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 650 and 290 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 456—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act:

Also: Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication:

Also: Senate Bill No. 453—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WALSHMAN, Assistant Clerk.

Senate Bills Nos. 456, 474 and 453 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 521—An act to amend the title of chapter XI of title X111 of part I of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bill No. 521 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 171—An act to amend section 632a of the Code of Civil Procedure, relating to notice of intention to vacate judgment and the granting of new trial:

Also: Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure relating to decision upon trial by court:

Also: Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure relating to special decisions of the court:

Also: Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure relating to entry of judgment:

Also: Assembly Bill No. 169—An act to amend section 624 of the Code of Civil Procedure, relating to waiver of findings of fact:

Also: Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure relating to vacation of judgments:
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—8; noes—1; absent—5.

JONES, Chairman.

Assembly Bills Nos. 171, 166, 167, 168, 169 and 170 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the Partnership Law of the

State of California uniform with the law of other states—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.
Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bill No. 1312 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 129—An act to amend an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901 and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5a and 5b, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants;

Also: Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court;

Also: Assembly Bill No. 405—An act to amend sections 1193 and 1227 of the Penal Code, relating to judgments against persons convicted of the commission of crime;

Also: Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers;

Also: Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257a, relating to the prohibiting of publication of indebtedness;

Also: Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bills Nos. 129, 404, 405, 502, 1014 and 1368 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bill No. 1361 ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 300—An act authorizing the State Board of Charities

and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends it do pass, and be re-referred to Committee on Finance.

Committee membership—7; committee vote: Ayes—4; absent—3.

ARBUCKLE, Chairman.

Assembly Bill No. 309 ordered re-referred to Committee on Finance.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

POWERS, Vice Chairman.

Assembly Bill No. 1337 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board; authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

POWERS, Vice Chairman.

Assembly Bill No. 668 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along state highways for the maintenance and preservation of scenic beauties along such highways;

Also: Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property;

Also: Assembly Bill No. 1306—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on

parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith;

Also: Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon avenue," within the corporate city limits of East San Diego, from Boundary street to Euclid avenue, in San Diego county, California, to be a State highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—5; absent—8.

POWERS, Chairman.

Assembly Bills Nos. 507, 323, 1366 and 1373 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption;

Also: Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing exhibitions;

Also: Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 13 of article XIII of the constitution relating to the exemption of State and municipal bonds from taxation;

Also: Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section XII of article XIII of the constitution, relative to a poll tax;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Assembly Constitutional Amendments Nos. 52, 39, 49 and 47 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

SAMPLE, Chairman.

Assembly Constitutional Amendment No. 57 ordered on file.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the state upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain

cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto, numbered 2a, 2b, 2c, 4a, 4b, 5a, 5b, 5c, 5d, 5e, 8a, 8b, 8c, 9a, 10a, 10b, 10c, 11a, 11b, 11c and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

POWERS, Vice Chairman.

Assembly Bill No. 575 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 13—Relative to the indorsement of H. R. 13298 and Senate Bill No. 4142; to amend the war risk insurance and the vocational rehabilitation act so as to include disabled veterans, of all the wars of the United States, and their dependents—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

EDEN, Chairman.

Assembly Joint Resolution No. 13 ordered on file.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 133—An act to amend section 1142 of the Political Code relating to appointment of election officers;

Also: Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

SLATER, Chairman.

Assembly Bills Nos. 133 and 251 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices;

Also: Assembly Bill No. 418—An act to repeal section 3897a of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

Assembly Bills Nos. 91 and 418 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 7376, relating to the salary of superior judges;

Also: Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff. McElvaine against the State of California;

Also: Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the laws of 1921;

Also: Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville;

Also: Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California;

Also: Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737p, relating to salaries of judges of the superior court in Stanislaus County;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—9; absent—7.

GATES, E. J., Chairman.

Assembly Bills Nos. 11, 41, 134, 178, 183 and 214 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California;

Also: Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California;

Also: Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California;

Also: Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California;

Also: Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—9; absent—7.

GATES, E. J., Chairman.

Assembly Bills Nos. 241, 342, 343, 344, 456 and 511 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton watersheds between San Dimas and San Gabriel canyons in the San Gabriel Mountains and to make an appropriation therefor;

Also: Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California;

Also: Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 1228—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—9; absent—7.

GATES, E. J., Chairman.

Assembly Bills Nos. 512, 652, 740, 741 and 1228 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "an act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale

of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people;

Also: Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals;

Also: Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote: Ayes—9; absent—7.

GATES, E. J., Chairman.

Assembly Bills Nos. 320 and 901 ordered on file for second reading.

Assembly Bill No. 1339 ordered to second reading file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED THIRTY-NINE.

Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California.

Bill read second time.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 1, strike out the word "seventy-five" and in lieu thereof insert the word "ninety-five".

Amendment adopted.

CASE OF URGENCY.

By Senator Gates, E. J.:

Resolved, That Assembly Bill No. 1339 presents a case of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Whereupon the President declared the provision of section 15 of article IV of the constitution suspended for the purpose of considering at this time Assembly Bill No. 1339.

Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California.

Bill read third time.

CASE OF URGENCY.

Section 2, setting forth the urgency clause, read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1339 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by co-owners—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that same do pass as amended.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

Assembly Bill No. 1330 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that the resolution be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Concurrent Resolution No. 24 ordered on file.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—7; committee vote: Ayes—6; absent—1.

HURLEY, Chairman.

Assembly Bill No. 188 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 106—An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation, or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for the naming of such parks; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

HURLEY, Chairman.

Assembly Bill No. 106 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

CHAMBERLIN, Chairman.
JOHNSON, A. B.
WEST.
HURLEY.
CARR.
BURNETT.

Assembly Bill No. 174 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Corporations, to which was referred Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CHAMBERLIN, Chairman.
CREIGHTON.
JOHNSON, A. B.
WEST.
INMAN.
BURNETT.
HURLEY.
CARR.

Assembly Bill No. 615 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 27—Relative to federal taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes 4; absent—1.

EDEN, Chairman.

Assembly Joint Resolution No. 27 ordered on file.

MOTION TO RECALL BILL FROM COMMITTEE.

Senator Arbuckle moved that Assembly Bill No. 738 be recalled from the Committee on Revenue and Taxation, and that it be forthwith placed on file.

The question being on the motion to recall Assembly Bill No. 738 from committee.

ROLL CALL DEMANDED.

The roll was called, and the motion carried by following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Lyon, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—Senators Allen, Canepa, Crowley, Gates, Dr., Hurley, Johnson, M. B., Jones, Lewis, Murphy, and Nelson—10.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 85 was passed carried by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—Senators Allen, and Hurley—2.

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 85 to Senator Chamberlin, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "seven".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 85, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Lyon, Assembly Bill No. 85 ordered to print.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILL.—
(OUT OF ORDER).

Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties,

and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize said districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Assembly Bill No. 1286 to Senator Creighton, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word county, insert the following: "having a population of over 50,000 people according to the last United States census."

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, after the word "created" insert the following: "or at any time that the district is enlarged".

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, strike out after the word "purposes" the following: "and for the purpose of forming such harbor district and said governing body is hereby granted the powers necessary or convenient to accomplish such purposes" and insert in lieu thereof "and said governing body is hereby granted the powers necessary or convenient to accomplish such purposes, and also the power to form such harbor district."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

Mr. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1286, with instructions to amend, respectfully reports the same back, amended as per instructions.

CREIGHTON, Special Committee.

Report read, and on motion of Senator Hurley, adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE--SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 515.—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the word "two" and in lieu thereof insert the word "five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, after the comma insert the following: "and one deputy, who shall receive a salary of one thousand five hundred dollars per annum,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, strike out the word "five" and in lieu thereof insert the word "eight".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, after the semicolon insert the following: "one deputy who shall be assistant jailer, who shall receive a salary of one thousand eight hundred dollars per annum;"

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 8, of the printed bill, after the comma insert the following: "one deputy who shall be court bailiff, who shall receive a salary of one thousand five hundred dollars per annum,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 9, of the printed bill, strike out the word "five" and in lieu thereof insert the word "eight".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 10, of the printed bill, strike out the word "four" and in lieu thereof insert the word "three".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 35, of the printed bill, strike out the word "voters" and in lieu thereof insert the word "electors".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4 of the printed bill strike out lines 40 to 46, both inclusive, and in lieu thereof insert the following:

"17. The county traffic officer, one thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy who shall be appointed by said county traffic officer and which office is hereby created. Said deputy county traffic officer shall receive a salary of one thousand six hundred twenty dollars per annum, which shall be paid at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid. Said county shall furnish machines or other vehicles for said county traffic officer and his said deputy and shall provide gasoline and oil for the purpose of propelling the same and pay all of the expense of the upkeep of said machines. All the provisions of this paragraph shall apply to the said county traffic officer and his said deputy whenever the office of county traffic officer is created by law."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act, to be numbered 40a, relating to the refunding and correction of assessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds or irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 3b thereof, relating to consent of commission for expenditure of funds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 570—An act to amend section 39f of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "the", and all the remainder of said line, and on line 6 the words "irrigation district", and insert in lieu thereof the word "this".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the comma after the word "advance", and on line 8 the words "and in" and insert in lieu thereof a period and the word "In".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the word "such".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out the word "herein".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, strike out the words "after the hearing provided for herein".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the word "by" at the end of the line, and on line 12 the words "the secretary".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 15, of the printed bill, strike out the word "such".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 18, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 1, line 20, of the printed bill, strike out all of said line 20, and all the remainder of the said bill.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, strike out the word "less", and all the remainder of said line, and all of lines 10, 11, 12 and on line 13, the words "corporation which will pay", and insert in lieu thereof the following: "sum less than".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27a, relating to the appointment of deputies.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the semicolon after the word "power", and all the remainder of said line, and all of lines 10, 11 and the word "directors" on line 12.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the word "every", and all the remainder of said line, and all the remainder of said bill.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 420—An act to add a new section to be numbered section 8g, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for

the violation thereof, approved March 6, 1907," as amended, relating to reports to be made by physicians to police authorities.

Bill read second time, and ordered on file for third reading.

Assembly Joint Resolution No. 10—Relating to protection of forests from fire.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 22 and the word "timber" in line 23, and insert in lieu thereof the words "national treasury."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed bill, after the comma following the word "America" strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 32, of the printed bill, after the word "California" strike out the period and insert in lieu thereof a ";" and add the following words: "to the Secretary of Agriculture and to Hon. William B. Greeley, Chief Forester of the U. S. Forest Service."

Amendment adopted.

Resolution read, and ordered to print, and on file.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Assembly Bill No. 1051 passed on file.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of \$10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1293 refused passage by the following vote:

AYES—Senators Canepa, Carr, Crowley, Godsil, Gray, Handy, Ingram, Inman, Jones, Murphy, Sharkey, and Slater—12.

NOES—Senators Allen, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Nelson, Osborne, Rominger, Rush, Sample, Swing, and West—21.

RECESS.

At one o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and ten minutes p.m.

RECONVENED.

At two o'clock and ten minutes p.m., the Senate reconvened. Arthur H. Breed, President pro tempore of the Senate, in the chair. Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 15, 1923.

To the Senate of the State of California.

GENTLEMEN: I have the honor to inform your honorable body that I have this day appointed J. O. Hayes a member of the State Board of Regents of the University of California, vice Charles S. Wheeler, deceased. I respectfully ask the consent of the Senate to the above named appointment.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Referred to Committee on Rules.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the Governor's message as follows:

To the Senate of the State of California.

GENTLEMEN: I have the honor to inform your honorable body that I have this day appointed J. O. Hayes a member of the State Board of Regents of the University of California, vice Charles S. Wheeler, deceased. I respectfully ask the consent of the Senate to the above named appointment.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Has had the same under consideration and respectfully reports the same back, and recommends that the Senate advise and consent to the appointment.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of J. O. Hayes, a member of the State Board of Regents of the University of California, vice Charles S. Wheeler, deceased?"

The roll was called with the following result:

AYES—Senators Allen, Boggs, Breed, Barnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of J. O. Hayes, a member of the State Board of Regents of the University of California, vice Charles S. Wheeler, deceased.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 11, 1923.

To the Senate of the State of California.

GENTLEMEN: I have the honor to inform your honorable body that I have this day appointed J. E. Olmsted, a member of the State Board of Prison Directors, vice Charles L. Neumiller, appointment withdrawn. I respectfully ask the consent of the Senate to the above named appointment.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Referred to Committee on Rules.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred the Governor's message as follows:

To the Senate of the State of California.

GENTLEMEN: I have the honor to inform your honorable body that I have this day appointed J. E. Olmsted a member of the State Board of Prison Directors, vice Charles L. Neumiller, appointment withdrawn. I respectfully ask the consent of the Senate to the above named appointment.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Has had the same under consideration and respectfully reports the same back, and recommends that the Senate advise and consent to the appointment.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The President pro tempore put the question, "Will the Senate advise and consent to the appointment of J. E. Olmsted, a member of the State Board of Prison Directors, vice Charles Neumiller, appointment withdrawn?"

The roll was called with the following result:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Crighton, Crowley, Eden, Gates, De. Gates, E. J. Gray, Handy, Hart, Hurley, Ingram, Johnson, A. B. Johnson, M. B. Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Whereupon the President pro tempore announced that the Senate had advised and consented to the appointment of J. E. Olmsted, a member of the State Board of Prison Directors, vice Charles Neumiller, appointment withdrawn.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on inland waters of this State, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FORTY-ONE.

Senator McDonald asked for and was granted unanimous consent to take up Senate Bill No. 141.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FORTY-ONE.

AMENDMENT NUMBER ONE.

On page 3, line 37, of the printed bill, preceding the word "No" insert the following: "(d)".

AMENDMENT NUMBER TWO.

On page 3, line 37, of the printed bill, strike out the comma after the word "receivers".

AMENDMENT NUMBER THREE.

On page 3, line 38, of the printed bill, strike out the comma after the word "trustees".

AMENDMENT NUMBER FOUR.

On page 4, line 9, of the printed bill, strike out the comma after the word "receivers".

AMENDMENT NUMBER FIVE.

On page 4, line 10, of the printed bill, strike out the comma after the word "trustees".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 141?"

The roll was called, and Assembly amendment to Senate Bill No. 141 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Innan, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Senate Bill No. 141 ordered to enrollment.

MOTION.

On motion of Senator Slater, Assembly bills reported from committee this day were taken up for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure relating to special decisions of the court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure relating to decision upon trial by court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure relating to entry of judgment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 169—An act to amend section 634 of the Code of Civil Procedure, relating to waiver of findings of fact.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure relating to vacation of judgments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 171—An act to amend section 663a of the Code of Civil Procedure, relating to notice of intention to vacate judgment and the granting of new trial.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 521—An act to amend the title of chapter XI of title XIII of part I of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of line 8.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 129—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5a and 5b, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 405—An act to amend sections 1193 and 1227 of the Penal Code, relating to judgments against persons convicted of the commission of crime.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 133—An act to amend section 1142 of the Political Code relating to appointment of election officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judges.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff. McElvaine against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the Laws of 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 106—An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation, or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for the naming of such parks; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill as amended May 8, 1923, between lines 43 and 44 insert the following:

"Upon the owner of any land filing with the state board of forestry a written request therefor, specifying an address within this state, the state board of forestry shall mail forthwith to such address of the owner of any land designated under this section a copy of any application, a copy of any approval or disapproval, and a copy of any appraisement, and shall advise such owner of any deposit of money made and the amount thereof."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

SENATE COMMITTEE AMENDMENTS TO ASSEMBLY BILL NUMBER ONE HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "stock" insert the following: "or the actual value of their assets if such value of their assets be in excess of the subscribed capital stock".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "full amount of the capital stock so divided, withdrawn, paid out, or reduced or debt contracted. Nothing herein".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, of the printed bill, after line 25, add the following:

"Sec. 2. No right, cause of action or liability now existing or any action or proceeding now pending, shall be affected by this act and such right, cause of

action or liability may be enforced except as hereinafter provided and such action or proceeding may be prosecuted in the same manner and with the same effect as if this act had not been passed; *provided, however*, that, except where any action or proceeding is now pending, the liability of a director of a corporation heretofore incurred on account of debt contracted beyond the subscribed capital stock of the corporation shall not exist where, within two years after the date of the contracting thereof, the debt so contracted has been paid without the substitution or creation of other debt, without the levying of any assessment, and without impairing or depleting the capital stock of the corporation."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of

this act, and providing for the submission of this act to the vote of the people.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "to" insert the following: "be used by the California highway commission for the construction and improvement of the mother lode highway, leading from Auburn in Placer county to the Sonora lateral at Sonora in Tuolumne county and to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 13 of the title of the printed bill after the word "expense" insert the word "of".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 15 of the title of the printed bill preceding the word "fund" insert the word "highway".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all of line 15 of the title of the printed bill after the comma and all of line 16 preceding the word "creating".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 2, of the printed bill, after the word "construction" insert the following: ", acquisition, maintenance".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 4, of the printed bill, strike out the words "thirty-first day of December" and in lieu thereof insert the words "the third day of July,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 5, of the printed bill, strike out the word "twenty-four" and in lieu thereof insert the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 9, of the printed bill, after the period insert the following: "The state highway finance board shall determine the date or dates of maturity of the bonds to be issued and the number and numerical sequence of the bonds maturing at each date of maturity and the number, numerical sequence and the dates of maturity of the interest coupons to be attached to the said bonds."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, lines 13 and 14, of the printed bill, strike out the words "in said resolution or resolutions" and in lieu thereof insert the words "by said state highway finance board".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 52, of the printed bill, strike out the following: "but said" and in lieu thereof insert the following: ". The governor of the state shall issue to the state treasurer such direction immediately after being requested to do so, through and by a resolution duly adopted by the state highway commission. Said resolution shall specify the amount of money which, in the judgment of said highway commission shall be required at such time and the governor of the state shall direct the state treasurer to sell such number of said bonds as may be required to raise said amount of money. Said".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 18, of the printed bill, strike out the word "five" and in lieu thereof insert the words "four and one-half".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 35, of the printed bill, after the word "provisions" insert the words "and purposes".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 21, of the printed bill, strike out the following: ". Where" and in lieu thereof insert the word "for".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 6 of the printed bill strike out all of line 9 following the period, all of lines 10 to 29, both inclusive, and all of line 30 preceding the word "All".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 418—An act to repeal section 3897a of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel mountains and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county

in which the same are formed: providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto, numbered 2a, 2b, 2c, 4a, 4b, 5a, 5b, 5c, 5d, 5e, 8a, 8b, 8c, 9a, 10a, 10b, 10c, 11a, 11b, 11c and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended in Assembly April 16, 1923, in line 29 of the title on said page 1, strike out the word "two" and insert in lieu thereof the following: "one a, two, two a".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill as amended in Assembly April 16, 1923, strike out lines 1 and 2 of the title on said page 2, and insert in lieu thereof the following: "thereto, numbered two b, two c, four a, four b, four c, five a, five b, five c, five d, five e, five f, five g, five h, five i, six a, six b, six and one-half, seven a, seven b, seven c, eight a, eight b, eight c, nine a".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 29 and 30, of the printed bill, strike out the words "a majority" and insert in lieu thereof the following: "one-fourth".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, between lines 20 and 21, insert the following:

"SEC. 1a. Section one a of said act is hereby amended to read as follows:

Sec. 1a. A water district organized under the provisions of this act may be composed of or include land already in a district organized under any law of this state for the purpose of conserving or supplying water for irrigation purposes: *provided*, that the consent of the governing body of such other district to the inclusion of such lands in the water district is filed with the board of supervisors before the making of an order calling an election to determine whether said proposed water district shall be formed; *provided, further*, that no land within such other district

which is also within the boundaries of a water district formed under the provisions hereof shall be released from any of the burdens, obligations, liabilities, or control of or under said other district by virtue of the formation of the water district, and all land in such water district which is also in such other district shall in every respect continue to be a part of said other district despite the formation of said water district; *provided, further*, that a water district that includes land that is within an irrigation district organized under the California irrigation district act may not issue bonds in excess of such an amount as may be authorized and designated by the California bond certification commission."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 45, of the printed bill, strike out the word "districts" and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER SIX.

On pages 4 to 9 of the printed bill, strike out lines 41 to 52, inclusive, on page 4, all of pages 5 to 8, inclusive, and lines 1 to 45, inclusive, on page 9, and insert in lieu thereof the following: "determined upon the lands to be included within said proposed district, it shall make an order establishing and describing the exterior boundaries thereof and describing any lands within said boundaries which are to be excluded from the district, and designating a name for said district, which may be the name proposed in said petition or such other name as the board may determine. Said order shall be entered in full upon the minutes of said board. A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of California in a quo warranto proceeding brought by the attorney general. Any such proceeding must be commenced before the commencement of such a proceeding as is provided for in section three hereof, or within one year after the making and entry of the said order of the board of supervisors if such latter proceeding is not instituted, and not otherwise.

After making and entering such an order defining and establishing the boundaries of the proposed district, said board of supervisors shall forthwith call and give notice of an election to be held in such proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this act. Said notice shall be published once a week for at least three weeks previous to such election, shall describe the boundaries so established, shall designate the name for the proposed district, and shall state that at said election the voters possessing the qualifications prescribed by this act shall cast ballots for or against said proposed organization and shall select a board of directors to serve in case said organization shall be effected.

SEC. 3. Section two *a* of said act is hereby amended to read as follows:

Sec. 2*a*. At such election there shall be elected a board of five directors; *provided*, that if so requested in the petition for the organization of the district the board of supervisors may order that the district board shall consist of three directors. The board of supervisors shall designate the polling place for such election and appoint from the persons eligible to the office of district director one inspector and two judges of election, who shall constitute a board of election for such district election. For the convenience of voters the board of supervisors may divide the proposed district into election precincts and establish the boundaries of such precincts, and in such case shall appoint a board of election as aforesaid for each precinct, and designate a polling place therein. The said election shall be held and the result thereof determined and declared as nearly as may be in accordance with the provisions of this act relating to general district elections; *provided*, that the returns of said election shall be forwarded to said board of supervisors, which shall meet on the second Monday following said election and canvass said returns and declare the results of said election. If by such canvass it appears that a majority of all the votes cast at such election are in favor of the organization of the district said board of supervisors shall by an order entered on its minutes declare the territory duly organized as a water district under the name theretofore designated, and said board shall cause certificates of election to be issued to the persons found to be chosen as directors of the district.

SEC. 4. A new section is hereby added to said act to be numbered two *b* and to read as follows:

Sec. 2*b*. Said board of supervisors shall then cause a copy of such order duly certified to be immediately filed for record in the office of the county recorder in each county in which any portion of the lands embraced in such district are situated. From and after such filing, the organization of such district shall be complete.

SEC. 5. A new section is hereby added to said act to be numbered two *c* and to read as follows:

SEC. 2c. The officers elected at the election hereinbefore provided for shall immediately enter upon their duties as such upon qualifying in the manner for such officers herein provided. Said officers shall hold office respectively until the date of the regular monthly meeting of the board of directors of the district in the month next following the month in which the next general district election is held; *provided*, that if the date fixed by law for said general election will occur within one year of the date of said special election, the directors first elected shall hold office until the regular monthly meeting of the board of directors in the month next following the month in which the second general election next succeeding is held. In all cases district directors shall continue to serve and hold office until their successors have qualified.

SEC. 6. Section four of said act is hereby amended to read as follows:

Sec. 4. The officers of the district shall be five directors (or three directors, if so ordered by the board of supervisors as heretofore provided), who shall be elected by ballot, and a secretary, who shall be appointed by the board of directors. The secretary shall hold office during the pleasure of the board. No person shall be qualified to hold the office of director unless he is the holder of title or evidence of title to lands in the district, or is an officer, director, member, stockholder or duly authorized representative of a corporation or of a public board or agency that is entitled to vote at district elections.

SEC. 7. A new section is hereby added to said act to be numbered four *a* and to read as follows:

SEC. 4a. Within twenty days after he has notice of his election or appointment each officer shall take and subscribe an oath in substantially the form prescribed by law for the official oaths of county officers and file the same in the office of the district and execute and file the official bond if a bond is required. Each director shall execute an official bond in the sum of five thousand dollars to be approved by a judge of the superior court. The other officers and employees of the district, if required by the board, shall execute official bonds to be approved by the board of directors in such amounts as the board of directors may prescribe. All of such official bonds shall be in the form prescribed by law for official bonds of county officers, and when approved as herein provided, shall be filed with the secretary, who shall immediately file them for record in the office of the recorder of the county in which the district or the greater portion thereof is situated. The premiums on said bonds may be paid by the district.

SEC. 8. A new section is hereby added to said act to be numbered four *b* and to read as follows:

SEC. 4b. Any officer desiring to resign shall file his resignation in the office of the district. In case of a vacancy in the office of director from any cause the board of directors shall call a special election to fill the vacancy. If by reason of any vacancy or vacancies or of the inability of any director or directors to act, the number of the directors shall be less than the quorum of the board, the board of supervisors of the county in which the district or the greater portion thereof is situated shall call a special election within the district to fill such vacancy or vacancies. The date fixed for any such special election shall be not more than forty days after the date of the order calling said election. In case any such special election shall be called by a board of supervisors, said board shall cause notice of said election to be given and shall appoint the election officers and designate the polling place or places therefor, and the returns thereof shall be transmitted to said board of supervisors, which shall declare the result of said election and issue certificates of election to the persons declared elected.

SEC. 9. A new section is hereby added to said act to be numbered four *c* and to read as follows:

SEC. 4c. The officers of the district shall receive the following compensation for their services: The secretary, such sum as shall be fixed by the board of directors; the directors, six dollars each for each directors' meeting attended or for each day's service rendered as a director by order of the board of directors, together with any expenses incident to such services.

SEC. 10. Section five of said act is hereby amended to read as follows:

SEC. 5. An election which shall be known as the general district election shall be held in each water district the third Monday in September in each odd-numbered year, at which a board of directors for such district shall be chosen. The five persons, if the board consists of five members, or the three persons, if the board consists of three members, receiving the highest number of votes cast for directors at such election shall be elected thereto. The term of office of each shall be two years, beginning at noon of the date of the regular monthly meeting of the board of directors in the month next following the month in which said election is held.

At any time not less than ninety days before any election, the board of directors may divide the district into a convenient number of election precincts or may change the number or the boundaries of any election precincts theretofore established.

SEC. 11. A new section is hereby added to said act to be numbered five *a* and to read as follows:

SEC. 5a. At least three weeks before any election held in any district under this act the secretary shall cause notices to be posted in three public places in the district

of the time and place of holding the election and shall also post a like notice in the office of the district. Like notice of said election shall also be given by publication once a week for three weeks. Prior to the time for giving such notice the board must appoint for such election, or for each precinct if the district has been divided into precincts, a board of election consisting of one inspector and two judges, who must be voters of the district, and designate the polling place or places for such election. If the board fail to appoint a board of election, or any of the members appointed do not attend at the opening of the polls on the morning of election, the voters present at that hour may appoint the board, or supply the place of an absent member thereof.

SEC. 12. A new section is hereby added to said act to be numbered five *b* and to read as follows:

SEC. 5b. Not less than ten days before any election at which directors are to be chosen, any ten or more persons entitled to vote at such election may file with the secretary of the district, or with the board of supervisors, if said election has been called by a board of supervisors, a petition requesting that the name of a certain person or the names of certain persons, specified in such petition, be placed on the ballot as candidates for the office or offices named in the petition. The names proposed by the various petitions so filed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which voters may write other names if they so desire.

SEC. 13. A new section is hereby added to said act to be numbered five *c* and to read as follows:

SEC. 5c. At any election held under the provisions of this act the inspector is chairman of the election board and may appoint judges if, during the progress of the election, any judge ceases to act. If during the progress of the election the inspector ceases to act, the judge shall appoint his successor. Any member of the board of election may administer and certify oaths required to be administered during the progress of an election. Before opening the polls, each member of the board must take and subscribe an oath faithfully to perform the duties imposed upon him by law. Any voter of the district may administer and certify such oath. The polls must be opened at eight o'clock a.m. of the day of the election, and be kept open until four o'clock p.m. of said day, when the same must be closed.

SEC. 14. A new section is hereby added to said act to be numbered five *d* and to read as follows:

SEC. 5d. The ballots used at any election held under the provisions of this act shall be provided by the board by which the officers for such election are to be appointed. One of the judges of election shall deliver to each of the qualified voters one of the ballots so provided. The ballots shall have printed on them the names of all candidates whose names have been filed as provided in this act, with a voting square opposite each name. The names shall be arranged in groups, alphabetically, under the designation of the office for which each person named is a candidate. If any proposition is submitted to the voters at said election, the ballots shall contain a general statement of such proposition. Said statements shall be followed by the words "Yes" and "No" on separate lines, with a voting square opposite each of such words. Each voter shall stamp a cross, with a rubber stamp in the square opposite the name of each candidate he wishes to vote for and in the appropriate square following the statement of each proposition for or against which he wishes to vote. Each ballot cast shall contain the name of the person, and of the proxy, if any, casting the ballot with the number of votes cast by him. A list of the ballots cast shall be made by the board of election, showing the names of each voter, and if the ballot be cast by proxy the name of the person casting it and the number of votes cast by each voter.

SEC. 14a. A new section is hereby added to said act to be numbered five *e* and to read as follows:

SEC. 5e. Voting may commence as soon as the polls are opened, and".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 20, of the printed bill, strike out the words "and if any qualified"; also strike out lines 21 to 29, inclusive, on said page and insert in lieu thereof the following: "provided, that in any proceeding to contest said election, brought in a court of competent jurisdiction, the court may order said ballots to be opened for inspection when deemed necessary to establish the proof of any material fact arising in the course of said proceeding. No list, tally paper or certificate returned from any election shall be set aside or rejected if it can be satisfactorily understood.

SEC. 14b. A new section is hereby added to said act to be numbered five *f* and to read as follows:

SEC. 5f. The board of directors must meet at its usual place".

Amendment adopted.

said meeting. Upon the completion of the hearing of all objections and all evidence as provided herein, the board shall make such changes, if any are required, in said assessment list as may be in accordance with the facts presented to the board, and shall adopt said assessment list as submitted, or as changed by said board if any changes have been made. Said board shall then levy an assessment upon the land within the district at a uniform rate per acre, not exceeding fifty cents per acre for the purpose of paying the expenses incurred in forming the district and the expenses of preparing plans for and an estimate of the cost of works to be acquired or constructed and for the general expenses of the district.

SEC. 14 $\frac{1}{2}$. A new section is hereby added to said act to be numbered 65 and to read as follows:

SEC. 65. The secretary shall then compute and enter in the column for that purpose on the assessment list the respective sums in dollars and cents, at the rate fixed by the board of directors, to be paid as assessments on the property therein enumerated. A copy of said list, duly certified by the secretary as correct, shall then be filed by him in the office of the county recorder of the county in which the district is situated, or, if the district is situated in more than one county, there a certified copy of said list shall be filed by the secretary in the office of the county recorder in which any part of the district is situated. Said assessments shall thereupon become a lien upon the respective parcels of land described in said list. The secretary shall then give notice by publication for at least three weeks that an assessment at the rate per acre fixed by the board of directors has been levied on the lands in the district, that said assessment is due and payable to the secretary at the office of the district, and that the assessment on any land which shall not be paid on or before five o'clock p.m., of a day fixed in said notice, will become delinquent, and a penalty of ten per cent thereof will be added thereto. The secretary shall receive and receipt for all of such assessments which may be paid to him, and, on or before the first Monday of each month shall pay all money so received by him to the county treasurer, who shall give the secretary receipts therefor and place said money in the general fund of the district. The secretary shall set down, in a column provided on the assessment list for that purpose, ten per cent of the amount of each assessment not paid before the time fixed in said notice as the time when unpaid assessments will become delinquent, and the respective amounts so set down shall be added to the respective delinquent assessments, and thereafter each such delinquent assessment and penalty shall bear interest at the rate of one per cent month until paid, or until the amount of such delinquent assessment, penalty and interest is added to an assessment by commissioners, as hereinafter provided; or until the land assessed is advertised for sale by the secretary. If an assessment is made in the district by commissioners as hereinafter provided within two years from the date when the assessments aforesaid shall have become delinquent, said commissioners shall assess upon the land covered by each such delinquent assessment the amount of said assessment, and the penalty and accrued interest thereon, in addition to any assessment upon said land for other purposes, and the amount of said delinquent assessment, penalty and interest so assessed shall become due and payable at the time when the first payment under said assessment by commissioners shall become due and payable. If an assessment by commissioners is not made in said district within said period of two years the secretary shall prepare a list of all such delinquent assessments and advertise the delinquent property for sale and sell the same in the same manner and with the same effect as is provided in this act for such procedure by county tax collectors. The district may be a purchaser at such sale under the same conditions and upon the same terms as provided in this act in other cases of sale for delinquent assessments. A certificate of sale or deed executed by the secretary shall have the same effect after such sale as such a certificate or deed executed by a county tax collector in other cases. Any person interested in said property may redeem the same within the same time and upon the same terms and conditions and with the same effect as herein provided for redemption of property sold by a county tax collector for a delinquent assessment.

SEC. 15. A new section is hereby added to said act, to be numbered six and one-half and to read as follows:

SEC. 6 $\frac{1}{2}$. The board of directors shall choose from among its".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On pages 12 and 13 of the printed bill strike out lines 44 to 52 on page 12, and lines 1 to 37 inclusive on page 13, and insert in lieu thereof the following:

"Sec. 7. The board of directors shall have the power and it shall be their duty to manage and conduct the business and affairs of the district; make and execute all necessary contracts; employ and appoint such agents, officers and employees as may be required and fix their compensation and prescribe their duties. The board and its agents and employees shall have the right to enter upon any land and make surveys and may locate all or any of the works of the district on any lands which

may be deemed best for such location. Said board shall also have the right to acquire by purchase, lease, contract, condemnation, or other legal means all lands, waters, water rights and other property or any interest therein or right to the use thereof, necessary for the lawful uses and purposes of the district, whether said property be in this state or in other states, including canals and other works constructed and being constructed by private owners, lands for reservoirs for the storage of needful waters, and all necessary appurtenances. Said board may construct any and all works necessary or proper for the lawful uses and purposes of the district, and may enter into and do any acts necessary or proper for the performance of any agreements with the United States, or any state, county, district of any kind, public or private corporation, association, firm or individual, or any number of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair, or operation of any rights, works or other property of any kind which might lawfully be acquired or owned by the district, and may acquire the right to store water in any reservoirs or to carry water through any canal, ditch or conduit not owned or controlled by the district, and may grant to any owner or lessee of the right to the use of any water the right to store such water in any reservoir of the district, or to carry such water through any canal, ditch or conduit of the district.

The word "works" as used herein means and includes irrigation works necessary or proper to supply the lands contained in the district with sufficient water for irrigation and domestic purposes and such works as may be necessary or proper to provide for any drainage made necessary, or which in the judgment of the board will be made necessary, by the operation of such irrigation works or by the irrigation of such lands or any of them, and also includes dams, reservoirs and works for the collection of water for the district. Said board may do any and every lawful act necessary to carry out fully the purposes of this act. In case mutual water companies have been organized to furnish water to certain specified lands within a water district, the district board of directors may contract for the delivery of water for such lands as lie within the territory served by said mutual water companies, through said mutual water companies only.

Sec. 16a. A new section is hereby added to said act to be numbered 7a and to read as follows:

SEC. 7a. The said board is hereby authorized and empowered to take conveyances, leases, contracts, or other assurances for all property acquired by it under the provisions of this act in the name of such water district for the uses and purposes herein expressed, and to institute, maintain and defend in person or by its attorneys in the name of the district any and all actions and proceedings, and suits at law or in equity, necessary or proper in order to fully carry out the provisions of this act, or to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act or acquired in pursuance thereof.

The said board shall establish, print and distribute among the landowners of the district equitable rules and regulations for the distribution of water.

The legal title to all property acquired under the provisions of this act shall immediately and by operation of law vest in the water district, and shall be held by such district in trust for, and is hereby dedicated and set apart to the uses and purposes set forth in this act. The board of directors of such district is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property as herein provided. The said board of directors shall have power to lease or sell for a valuable consideration any property, or right in property, belonging to the district and no longer necessary to its use and purpose.

SEC. 16b. A new section is hereby added to said act to be numbered seven b and to read as follows:

SEC. 7b. No district board of directors shall let or enter into a contract for the construction or irrigation or drainage works, nor shall said board construct the same by employees of the district until the issuance of bonds or the levy of an assessment for the acquisition or construction of such works has been authorized at an election called and held as in this act provided.

SEC. 16c. A new section is hereby added to said act to be numbered seven c and to read as follows:

SEC. 7c. Before letting any contract for, or proceeding with the work of construction of, drainage or irrigation works, the board of directors shall give notice, by publication thereof not less than twenty days calling for bids for the construction of such works, or of any portion thereof. If less than the whole work is advertised, then the portion so advertised must be particularly described in such notice. Said notice shall set forth that plans and specifications can be seen at the office of the board, and that the board will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place for opening said proposals, which, at the time and place appointed, shall be opened in public. As soon as convenient thereafter the board shall let said work, either in portions or as a whole, to the lowest responsible bidder; or they may reject any or all bids and readvertise for proposals or may proceed to construct the work under their own superintendence; *provided*, that in case of emergency or urgent necessity for the construction, extension or repair of works for irrigation or drainage, the board of

directors, by unanimous vote of those present at any regular or special meeting, may award contracts therefor without advertising for bids. Contracts for the purchase of material shall be awarded to the lowest responsible bidder. Any person or persons to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties to be approved by the board, payable to said district for its use, for twenty-five per cent of the amount of the contract price, conditioned for the faithful performance of said contract. The work shall be done under the direction and to the satisfaction of the engineer, and be approved by the board."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 14, line 13, of the printed bill, strike out the words "by unanimous vote".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 15 of the printed bill, strike out lines 17 to 21, and insert in lieu thereof the following: "of the respective installments thereof and the respective dates at which said installments will respectively become due and payable in accordance with this act.

5. The amount in dollars and cents apportioned by the commissioners to each parcel of land as the amount of the proportion for".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 16 of the printed bill, strike out the words "If a quorum of said board is not present," in line 15; also strike out lines 16 to 18, inclusive, and the words "eight hours" in line 19.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 16, lines 26 and 27, of the printed bill, strike out the words "and may adjourn from time to time for such purposes".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 17, line 38, of the printed bill, strike out the word "May" and insert in lieu thereof the word "March".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 18 of the printed bill strike out lines 9 to 43, inclusive, and insert in lieu thereof the following: "dollars and cents the amount of the assessment to be paid on each parcel of land described in said apportionment list by multiplying the amount apportioned to said parcel in said apportionment list by the rate of assessment.

After the first day and before the twentieth day of September of each year after the levying of said assessment, the board shall, if necessary, make another assessment in like manner for said purposes.

A copy of said assessment list, certified by the secretary as correct, shall be filed in the office of the county recorder of each county in which any portion of the district is situated. From and after such filing, the assessment upon each parcel of land described in said list shall be a lien thereon.

The assessments so levied shall be payable in two equal semi-annual installments, one of which shall be due and payable on the first Monday in October next following the date of its levy and the other on the first Monday in March next thereafter; but the board may provide in the order levying any such assessment that it shall be payable in two unequal semiannual installments and may fix the proportion of the whole of which each installment shall consist.

If the first of said assessments levied in any district formed hereunder be levied after the twentieth day of September and before the first day of March next following, the board shall make its estimate of the amount of money required for the period ending with the month of December next after said month of March and in that case the entire assessment shall be due and payable on the first Monday of said month of March.

If any assessment, or installment, due and payable under the provisions of this act in the month of October of any year is not paid before five o'clock p.m. of the

first Monday in December of that year, said assessment, or installment, shall then become delinquent, and if any assessment, or installment, due and payable under the provisions of this act in March of any year is not paid before five o'clock p.m. of the last Monday in April of that year, said assessment, or installment, shall then become delinquent. When any assessment, or installment, becomes delinquent, a penalty of ten per cent of the amount thereof must forthwith be added thereto by the officer whose duty it may be to collect said assessment, or installment, and said penalty must thereafter be collected with said assessment, or installment, as hereinafter provided. Any assessment or any installment of any assessment may be paid before it is due, to the officer charged with the collection of the assessments of the district."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 19, line 28, of the printed bill, after the word "directors" insert a comma and the following: "or any installment of such an assessment or any penalties or interest accruing on account of delinquency in paying said assessment or installment."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 19 of the printed bill strike out lines 39 to 52, inclusive, all of pages 20 and 21, and on page 22, lines 1 to 28, inclusive, and in lieu thereof insert the following:

"Sec. 10c. After an apportionment list has been confirmed and adopted as the basis for annual assessments the board of directors of any water district may, and upon receiving a petition therefor signed by at least twenty-five per cent of the holders of title or evidence of title to lands listed on the last apportionment list representing at least twenty-five per cent of the total amount of said apportionment must provide for the appointment of new commissioners to prepare a new apportionment of the estimate of annual expenses. In case such new commissioners are appointed the same procedure shall be followed as is provided in the case of an original appointment and upon the filing of a certified copy or certified copies of the apportionment list, together with a certified copy or copies of the resolution of the board of directors confirming and adopting said list, the said new apportionment list shall become the apportionment list for the district. Such new apportionment list must not be prepared more frequently than once a year.

Sec. 27. Section eleven of said act is hereby amended to read as follows:

Sec. 11. On or before the tenth day of July of each year the tax collector of any county in which is situated any land in any water district whereon any assessment or installment thereof is delinquent shall prepare and publish a list of all such delinquent assessments or installments. Said list shall be prepared and published in substantially the same form as delinquent lists for county taxes. Said list shall be published once a week for at least three successive weeks in a newspaper, published in said county, together with a notice stating that the delinquent property described in said list will be sold for the amounts specified therein in front of the courthouse of said county at a time to be specified in said notice, which shall be not more than thirty days from the date of the first publication of such notice. At the time stated in said notice, or at some other time to which said sale may have been postponed by said tax collector, the tax collector must offer said property for sale at public auction, beginning at the top of the list and offering each parcel successively until all the parcels advertised have been offered for sale. The owner or person in possession of any property advertised for sale may designate to the tax collector in writing before the sale the portion of the property which he wishes sold, if less than the whole, and if no such designation has been received, the tax collector may designate the portion to be sold. The person who will take the smallest quantity of any parcel of land, or, if any undivided interest is delinquent, the least portion of the interest, and pay the amount of the delinquent assessment or installment and penalty, together with one dollar as costs, shall be declared the purchaser of the land or interest therein for which he made the bid. If no bid is received for a parcel advertised or for any part thereof, or if the person declared the purchaser shall fail to pay the amount required within twenty-four hours after the sale to him, the whole of the property shall be struck off to the district as the purchaser, at the amount of the delinquent assessment or installment, and penalty, together with one dollar as costs. A certificate of such sale shall be executed by the tax collector to the purchaser upon payment of the amount required or to the district if it is the purchaser, and this certificate shall be recorded in the office of the county recorder of the county. Any person interested in said property may redeem the same at any time within two years from the date of said sale by paying to the county tax collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of said sale,

SEC. 28. A new section is hereby added to said act, to be numbered eleven *a*, and to read as follows:

SEC. 11*a*. If no redemption of land sold for delinquent assessments as aforesaid shall have been made within two years from the date of said sale, the purchaser, or his successor in interest, shall be entitled to a deed to said property, and the county tax collector of the county in which said land is situated shall execute such a deed upon demand of the person entitled to the same. The effect of such a deed shall be to convey said property free and clear of all liens and encumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by statutory authority, and any water district assessment or portion thereof remaining unpaid at the date of said sale. The district as a purchaser at a sale for delinquent assessment shall be entitled to all the rights of a private purchaser. The board of directors may sell any property so sold to the district, or the interest of the district in such property by virtue of a certificate of sale, but such property or interest must be sold at public auction, after notice by publication, once a week, for at least two successive weeks of the time and place of said sale, which notice shall describe the property to be offered for sale. If the district has not yet received a deed to the property, it shall not be sold for less than the amount that would be required to redeem it. If the district has received a deed to the property, it shall not be sold for less than the amount that would have been required to redeem it on the day before the district became entitled to a deed, together with interest on said amount at the rate of seven per cent per annum from that time. Any property held by the district under a certificate of sale may be redeemed at any time before the district has received a deed to it for the amount at which the property was sold to the district, together with interest thereon at the rate of two per cent per month from the date of such sale."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On pages 22 and 23 of the printed bill, strike out lines 48 to 52 inclusive, on page 22 and lines 1 to 21 on page 23, and insert in lieu thereof the following: "the principal of and interest on bonds, the county treasurer, upon the order of the board of directors, shall invest in bonds of the United States or of this state a portion of said bond fund not exceeding in amount fifteen per cent of said largest installment, and keep said bonds in the bond fund to be sold only in case of emergency in the district or as hereinafter provided. Any other accumulations in the bond fund above the amounts needed for the payment of principal of and interest on bonds of the district shall be transferred to the general fund by the treasurer upon order of the board of directors. After two-thirds of the total amount of bonds issued by the district shall have been paid the treasurer shall, when so directed by the board of directors of the district, sell the bonds in the bond fund and credit the proceeds thereof to the general fund."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 25, lines 4 to 8, of the printed bill, strike out the words "in twenty series as", in line 4; also strike out lines 5 to 8, inclusive, and insert in lieu thereof the following: "within forty years from their date, as the board of directors may prescribe, but not less than ten per cent of the actual face value of any issue of bonds shall be made payable within fifteen years from their date and not less than two and one-half per cent of the aggregate face value of such bonds remaining unpaid at the end of fifteen years shall be payable each year, beginning with the sixteenth year from their date, until the whole amount of said bonds has been paid. The bonds shall be of the denom-".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 25 of the printed bill strike out lines 22 and 23 and insert in lieu thereof the following: "issue shall be numbered consecutively. The date of all bonds of a single issue shall be the same, which shall be subsequent to the election at which the issuance thereof was authorized and prior to delivery to a purchaser or purchasers from the district, and must be fixed by the board of directors before it appoints a commissioner or commissioners to make the assessment for the payment of the principal and interest of such bonds. Before any bond is sold, all interest coupons thereon that have matured at or prior to the date of sale must be detached and credited upon the payment of assessments as hereinbefore provided.

Coupons for each installment of interest."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On pages 27 and 28 of the printed bill, strike out lines 9 to 52 inclusive on page 27 and lines 1 to 3 on page 28, and insert in lieu thereof the following:

"Sec. 22. At any election held upon the provisions of this act every holder of title or evidence of title to land contained in a water district or proposed water district, and no other, shall be qualified and entitled to vote either in person or by proxy. Each voter shall have one vote for each dollar's worth of land the title to which is held by him, as above provided. Guardians, personal representatives, and other persons holding title in a trust capacity under appointment of court may vote at any such election without obtaining any special authority therefor.

Prior to each election held hereunder, the board whose duty it is to appoint the officers for the election shall cause to be prepared a voting list showing the names of the holders of title or evidence of title to lands in the district or proposed district and the number of votes each such holder is entitled to cast at said election. Said voting list shall be completed at least one week prior to the election, and two copies thereof shall be delivered to each election board at said election. If the district has been divided into election precincts, the copies delivered to each board shall show only the persons entitled to vote in the precinct thereof and the number of votes each is entitled to cast thereat, which shall be calculated according to the value of land situated in the precinct. Each election board shall, before the opening of the polls, post in a conspicuous place in each precinct one copy of said voting list.

The county assessment roll of the county in which any land in a district or proposed district is situated shall, as soon as it has been last equalized prior to the preparation of said voting list, shall be conclusive evidence of the ownership and value of all lands listed on said roll. If any land or the ownership or value of any land in the district or proposed district is not listed on said county assessment roll, the holder of title or evidence of title to said land may appear before the said board prior to the time for the compilation of said voting list and present proof of the ownership and value of said land. The finding of said board as to the ownership and value of said land, shall be conclusive for the purpose of preparing said voting list.

Any person who shall make any false statement in respect to his right to vote shall incur all the penalties provided in the Penal Code of the State of California for persons illegally voting at elections."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 28 of the printed bill, after line 33, add the following:

"Sec. 40. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and any section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act," creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district, with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board; authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 6, line 27, of the printed bill, strike out the word "a" and insert in lieu thereof the word "an".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 9, line 48, of the printed bill, strike out the word "five" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 16, line 7, of the printed bill, strike out the word "hereinafter" and insert in lieu thereof the word "herein".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 34, line 40, of the printed bill, strike out the word "is" after the words "drainage district".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 42, line 18, of the printed bill, strike out the word "directors" and insert in lieu thereof the word "trustees".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 49, line 35, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 5 to 9, both inclusive, and insert in lieu thereof the following:

"Sec. 4. Nothing herein contained shall be deemed to repeal any provision of law authorizing the payment of bounties on mountain lions."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1228—An act to reappropriate the sum of \$32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257a, relating to the prohibiting of publication of indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to

partnerships; and to make the Partnership Law of the State of California uniform with the law of other states.

Senator Jones moved to amend Assembly Bill No. 1312 as follows:

AMENDMENT NUMBER ONE.

On page 9, line 40, of the printed bill, strike out the word "definid" and insert in lieu thereof the word "defined".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by coowners.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out the word "coowners" and inserting in lieu thereof the word "co-owners".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 6, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners". Also strike out the word "coowner" where it appears at the end of line and insert in lieu thereof the word "co-owner".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 7, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owner".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 8, of the printed bill, strike out the words "coowners or coowners" and insert in lieu thereof the words "co-owner or co-owners".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 10, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 1, line 11, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 26, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 46, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 47, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 3, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 4, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 8, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 20, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 22, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 25, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 26, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 35, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 37, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 39, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon avenue," within the corporate city limits of East San Diego, from Boundary street to Euclid avenue, in San Diego County, California, to be a State highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the

public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor.

Assembly Bill No. 309 re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Assembly Bill No. 749 to Senator Sample, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, at the end of line 29 after the word "point" insert the following: "where the haul does not exceed a total distance of more than twenty-five miles".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Murphy, Inman and Boggs upon the motion to refer to a Special Committee of One, and the motion lost by the following vote:

AYES—Senators Chamberlin, Creighton, Hurley, Lyon, McDonald, and Rominger—6.

NOES—Senators Allen, Boggs, Breed, Burnett, Canepa, Crowley, Eden, Gates, Dr., Gray, Handy, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—25.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 749 passed by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senators Allen, Chamberlin, Hurley, Lyon, and Nelson—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SHARKEY IN THE CHAIR.

At three o'clock and thirty minutes p.m., Senator Sharkey of the ninth district was called to the chair.

UNFINISHED BUSINESS.

Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.
Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 494 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Eden, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B. Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608*d* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 331 passed by the following vote:

AYES—Senators Boggs, Canepa, Carr, Creighton, Crowley, Eden, Handy, Hurley, Ingram, Inman, Johnson, M. B. Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rush, Sharkey, Slater, and Swing—21.

NOES—Senators Allen, Breed, Chamberlin, Gates, Dr., Gray, Hart, Hughes, Johnson, A. B., Lyon, Osborne, Rominger, and Sample—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 783 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of dis-

trict bonds, and prescribing the powers, duties and privileges of such district.

Assembly Bill No. 979 passed on file.

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

Assembly Bill No. 1343 passed on file.

Assembly Bill No. 1100—An act permitting the insertion of provisions in contracts for public work for the arbitration of disputes arising under such contracts or in the performance of the work thereunder between the contracting parties.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1100 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Crowley, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 13 to Senator Chamberlin, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, after the word "shall" insert the word "also".

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, after the period insert the following: "The incurability of the insanity must be testified to by three alienists appointed by the court whose fees for examination of the insane person shall be paid by the plaintiff under order of the court."

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, after the word "And" insert the following: "in addition,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 13, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print.

Assembly Bill No. 424—An act to add two new sections to the Penal Code, to be numbered 1599*a* and 1599*b*, relating to property taken from persons detained in city, county, or city and county jails.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 424 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Assembly Bill No. 74 passed on file.

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 853 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

CASE OF URGENCY.

The question being: Shall section 2, setting forth the urgency feature of this bill, be passed?

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—36.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1346 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Assembly Bill No. 1038 passed on file.

Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Assembly Bill No. 1052 passed on file.

Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1266 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—Senators Johnson, M. B., and Jones—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Assembly Bill No. 550 passed on file.

Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of

being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject.

Assembly Bill No. 263 passed on file.

Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 84 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes; prohibiting the use of second-hand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes; vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1359 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crawley, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B. Johnson, M. B. Lewis, Lyon, McDonald, Murphy, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 277—An act to repeal section 3a of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

Assembly Bill No. 277 passed on file.

Assembly Bill No. 1059—An act to appropriate money in the State treasury collected under an act entitled "An act concerning the registering, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Assembly Bill No. 1059 passed on file.

Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund."

Assembly Bill No. 1060 passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 30.

A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII a new section, to be numbered 12½, relative to revenue and taxation.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its forty-fifth regular session, beginning on the eighth day of January, 1923, two-thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California that a new section be added to article XIII of the constitution of the State of California to be known and designated as section 12½ of article XIII of the constitution of the State of California and to read as follows:

Sec. 12½. The Legislature, subject to section 1 of article IV shall have power to provide for the assessment, levy and collection of taxes upon all notes, debentures, shares of capital stock, bonds, solvent credits or mortgages, not exempt from taxation under the provisions of this constitution, in a manner, at a rate or rates or in proportion to value different from any other property in this State subject to taxation; taxes imposed by any act of the Legislature adopted pursuant to the powers hereby conferred shall be in lieu of all other property taxes, State, county, municipal or district, upon such property. The Legislature shall provide for an equitable distribution of such taxes to the county, municipality or district in which such property is taxed; *provided*, that the rate or rates of taxation of such securities, and penalties, shall not exceed those assessed or imposed upon other property in this State not exempt from taxation, and that when the same shall have been fixed by the Legislature, they shall not be altered except by vote of two-thirds of all the members elected to each of the two houses voting in favor thereof.

Nothing in this act shall be construed to apply to any property the taxation of which is provided for in section 14 of this article nor to authorize the assessment or taxation of any property now exempt from taxation under this constitution.

Constitutional amendment read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 30 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr. Gates, E. J. Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram,

Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.
NOES—None.

Assembly Constitutional Amendment No. 30 ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 2.

Relative to building a bridge between San Francisco and Marin counties.

WHEREAS, The people have in contemplation the constructing of a bridge from the city and county of San Francisco to the county of Marin, in the State of California, to span the bay of San Francisco near the Golden Gate;

Resolved by the Assembly and the Senate, jointly, That such project is looked upon as of vast interest to the present needs and future development of the State and that such undertaking is approved and should be encouraged. That the Secretary of War be requested to grant such privileges in the matter as may be required, and to render such assistance as may be compatible with the public service.

That the Clerk is directed to transmit this resolution by wire to the Secretary of War.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.
NOES—None.

Assembly Joint Resolution No. 2 ordered transmitted to the Assembly.

Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Assembly Bill No. 358 passed on file.

Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1301 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1131 passed by the following vote:

AYES—Senators Allen, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 509 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 438 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Breed asked for and was granted leave of absence for Wednesday, May 16, 1923.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At four o'clock and fifty-five minutes p.m. Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

BOGGS, Vice Chairman.
SLATER.
MURPHY.
INGRAM.
JOHNSON, M. B.
EDEN.
HUGHES.
CREIGHTON.

Assembly Bill No. 746 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

MCDONALD, Chairman.
HANDY.
CROWLEY.
SLATER.
HURLEY.
OSBORNE.
ALLEN.
HART.

Assembly Bill No. 236 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 351 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—7; absent—7.

JONES, Chairman.

Assembly Bill No. 53 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health

department: to enable the State Board of Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it be referred to the Committee on Finance.

(Signed out)

SWING, Chairman.
HANDY.
SLATER.
CANEPA.
WEST.
LYON.
CARR.

Assembly Bill No. 1044 ordered referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

SWING, Chairman.

Assembly Bill No. 265 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1367—An act to amend section 3766 of the Political Code relating to the publication of delinquent tax list—has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

NELSON, Chairman.
JOHNSON, A. B.
SAMPLE.
LYON.
ALLEN.
CANEPA.
BREED.

Assembly Bill No. 1367 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that said amendments be adopted.

NELSON, Chairman.

Assembly Bill No. 738 ordered on file for second reading.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS— (OUT OF ORDER).

MOTION.

On motion of Senator Slater, Assembly bills previously reported from committee this day were taken up for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS— (OUT OF ORDER).

Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the amended bill, after the word "board", strike out the period and insert in lieu thereof a semicolon and the following: "*provided, however,* that this shall not apply where the law provides that the purchasing of standard school supplies and equipment shall be done by county superintendents of schools or county purchasing agents."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 7 of the printed bill, as amended in the assembly April 12, 1923, after line 13 insert the following:

"18. The county traffic officer, two thousand one hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer two deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall receive a salary of two thousand one hundred dollars per annum each, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles; *provided, further*, that said county shall furnish oil and gasoline for the purpose of propelling the same and shall pay all of the expense of the upkeep of said machines and shall allow said traffic officer and his said deputies expenses for meals incurred while away from the county seat in discharge of their duty. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 14, of the printed bill, strike out the numerals "18" and in lieu thereof insert the numerals "19".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 7, line 27, of the printed bill, strike out the numerals "19" and in lieu thereof insert the numerals "20".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 21, of the printed bill, following the word "of", strike out the word "one" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 21, of the printed bill, following the word "thousand" strike out the word "eight" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 41, of the printed bill, following the word "of" strike out the word "eight" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 42, of the printed bill, following the word "and" strike out the words "five hundred".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 30, of the printed bill, following the word "office" strike out the word "that".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, as amended in the Assembly April 23, 1923, after the word "license" strike out the words "shall only" and insert in lieu thereof "must".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 37, of the printed bill, as amended in the Assembly April 23, 1923, strike out the word "Said", also all of lines 38 to 42 inclusive and all line 43 to and including the word "year."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 1, of the printed bill, as amended in the Assembly April 23, 1923, after the word "quarter" strike out the comma and insert in lieu thereof a semicolon and the following: "provided, that there shall be deducted from said five per cent of the gross receipts the amount of any county or municipal licenses, and any city, or county, or city and county taxes paid by such operators to any city, or county, or city and county in this state upon any of the property actually used and necessary in the operation of such motor vehicles for the transportation of persons or property".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill as amended in the Assembly April 23, 1923, commencing with the word "state" in line 14, strike out all down to and including the word "Sacramento" in line 21 and in lieu thereof insert the following:
"People of the State of California in a court of competent jurisdiction in the county of Sacramento;"

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 28, of the printed bill, as amended in the Assembly April 23, 1923, strike out the words "such controller" and insert in lieu thereof the following: "the state treasurer".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 31, of the printed bill, as amended in the Assembly April 23, 1923, after the word "herein" strike out the word "prescribed" and the period and insert in lieu thereof the word "prescribed", a semicolon and the following: "*provided*, that no such written complaint shall be made by such board until after notice by registered mail or personal service has been given such operator and he has had an opportunity to be heard thereon."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 38, of the printed bill as amended in the Assembly April 23, 1923, strike out the word "revoke" and in lieu thereof insert the following: "suspend, until the payment of said license fee is made,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 4, of the printed bill as amended in the Assembly April 23, 1923, after the word "county" strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, that from any sums found to be due to any county under the provisions of this act there shall first be deducted the total of all county and city licenses collected in such county from the operators covered by the provisions hereof and any county, and city and county, or city taxes collected upon the operative property of such operators within such county. All such sums so deducted shall revert to the counties portion of the motor vehicle fuel fund and shall be apportioned to the several counties in the proportion herein provided."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 8, of the printed bill as amended in the Assembly April 23, 1923, after the word "vehicles" strike out the period and insert in lieu thereof a comma and the following: "*provided*, that the provisions of this act shall apply to only that portion of the gross receipts from any motor vehicle used for the transfer of freight, express or baggage in any city earned in whole or in part by a haul which extends upon or over any state or county highway of this state."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 9, of the printed bill as amended in the Assembly April 23, 1923, strike out all of lines 9, 10 and 11 and insert in lieu thereof the following:

"Sec. 10. Nothing in this act shall be construed to apply to nor to levy a license upon the operation of any motor vehicle or motor vehicles of any operator or the gross receipts therefrom, when as much as fifteen per cent of the gross receipts of such operator in the aggregate from such motor vehicle or motor vehicles shall have been earned by the transportation of United States mails, parcels post or other government matter under contract with the federal government."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Amend title by striking out all of the last line therefrom and insert in lieu thereof the following: "providing funds therefor".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 10 and 11, of the printed bill, strike out the words "in such years as the compilation of a great register of voters is required by law to be made" and insert in lieu thereof the words "in any year in which a general election is held".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, after the word "also" insert "in such years as the compilation of a great register of voters is required by law to be made".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, strike out lines 13, 14, 15, 16 and 17, inclusive, being all of subdivision 14, and insert in lieu thereof the following:

"14. The county traffic officer twenty-four hundred dollars per annum; *provided*, that in counties of this class there shall be and there are hereby allowed to the county traffic officer three deputies who shall each receive twenty-two hundred and eighty dollars per annum, which shall be paid by said county in monthly installments in the same manner, at the same times and out of the same funds as the salary of the county traffic officer is paid. Said county traffic officer shall also be allowed five additional deputies who shall serve not to exceed sixty days each in any one year and who shall be paid a salary of eight dollars per day each when actually employed. Said deputies shall be appointed by said county traffic officer, and said county traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, and shall pay all the expense of maintaining said vehicles. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the printed bill, after the word "interest" add: "in joint tenancy, or otherwise,".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 7 of the printed bill, strike out the word "may" and insert in lieu thereof the following: "must, save and except where probate proceedings on the estate of such deceased person have been commenced,".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 9 of the printed bill, beginning with the word "if" strike out the remainder of line 9 and the following in line 10: "resident, then".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 12 of the printed bill, after the comma (,) at the end thereof, insert the following: "giving the approximate value of said land and the relationship, if any, of said person to decedent,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 24 of the printed bill, strike out all of said line 24.

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 26 of the printed bill, change the word "five" to "ten".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

ADJOURNMENT.

At five o'clock and five minutes p.m., on motion of Senator Swing, the President pro tempore declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, May 16, 1923.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, May 16, 1923.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West-39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, May 15, 1923, the further reading was dispensed with, on motion of Senator Rush.

APPROVAL OF JOURNAL.

On motion of Senator Gates, E. J., the Journals of May 1, May, 2, May 3, May 4, May 7, May 8, May 9, May 10 and May 11 were approved as corrected.

MOTIONS.

Senator Crowley moved, seconded by Senator Slater, that the chair appoint a committee of three to draft suitable resolution of respect to the late Thomas A. Brown, former Sergeant-at-Arms of the Senate.

Motion carried.

Senator Slater moved that when the Senate adjourn this day it adjourn out of respect to the memory of Thomas A. Brown.

Motion carried.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 378—An act to amend section 1734b of the Political Code, relating to high school districts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED SEVENTY-EIGHT.

Senator Gates, Dr., asked for and was granted unanimous consent to take up Senate Bill No. 378.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 378—An act to amend section 1734b of the Political Code, relating to high school districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SEVENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the word "most".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, strike out the words "from July 1, 1923" and insert in lieu thereof the words "after date of annexation".

AMENDMENT NUMBER FIVE.

On page 3, line 6, of the printed bill, strike out the following: "(or part of joint elementary school district)".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 378?"

The roll was called, and Assembly amendments to Senate Bill No. 378 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and Swing—29.

NOES—None.

Senate Bill No. 378 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 457—An act to amend section 460 of the Penal Code, relating to the degrees of burglary—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIFTY-SEVEN.

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 457.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 457—An act to amend section 460 of the Penal Code, relating to the degrees of burglary.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended May 3, 1923, strike out all of lines 3 to 14, both inclusive, and insert in lieu thereof the following:

"460. (1) Every burglary of an inhabited dwelling house or building committed in the night time, and every burglary whether in the day time or night time, committed by a person armed with a deadly weapon, or who while in the commission of such burglary arms himself with a deadly weapon, or who while in the commission of such burglary assaults any person, is burglary of the first degree.

(2) All other kinds of burglary are of the second degree.

(3) This section shall not be construed to supersede or affect section four hundred sixty-four of the Penal Code."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 457?"

The roll was called, and Assembly amendment to Senate Bill No. 457 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Bozgs, Creighton, Dennett, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Slater, and Swing—26.

NOES—None.

Senate Bill No. 457 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 534—An act to add sections 290b, 290c, 290d, and 290e, and 290f to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THIRTY-FOUR.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Bill No. 534.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 534—An act to add sections 290b, 290c, 290d, and 290e and 290f to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act

entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED THIRTY-FOUR.

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out all of lines 40, 41 and 42, and insert in lieu thereof the following:

"Unless it shall have been first permitted or authorized so to do by the commissioner of corporations, no such corporation shall declare or pay any dividend which shall reduce the amount".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 534?"

The roll was called, and Assembly amendment to Senate Bill No. 534 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, and Swing—30.

NOES—None.

Senate Bill No. 534 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED EIGHTY-NINE.

Senator Boggs asked for and was granted unanimous consent to take up Senate Bill No. 689.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-NINE.

AMENDMENT NUMBER ONE.

On page 5, line 5, of the printed bill, after the word "section", strike out the word "eighteen", and insert in lieu thereof the word "twenty".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 689?"

The roll was called, and Assembly amendment to Senate Bill No. 689 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Creighton, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, and Swing—28.

NOES—None.

Senate Bill No. 689 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended Senate Bill No. 633—An act declaring the existing public highway extending from the northerly end of the present State highway in Inyo County to the boundary line between California and Nevada to be a State highway, and placing it under the jurisdiction and control of the State Highway Commission—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHENIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED THIRTY-THREE.

Senator Swing asked for and was granted unanimous consent to take up Senate Bill No. 633.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 633—An act declaring the existing public highway extending from the northerly end of the present State highway in Inyo County to the boundary line between California and Nevada to be a State highway, and placing it under the jurisdiction and control of the State Highway Commission.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED THIRTY-THREE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "in Inyo county".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, preceding the word "to", insert the words "in Inyo county".

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, strike out the period and in lieu thereof insert the following: ", and placing it under the jurisdiction and control of the state highway commission".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 1 to 8, both inclusive, and in lieu thereof insert the following:

"SECTION 1. The existing public highway, known as the Montgomery highway, connecting with the northerly end of the present state highway, being a point about one-half mile north of the city of Bishop in the county of Inyo, and extending through the town of Laws and thence in a northerly direction through said county of Inyo and through the county of Mono to the boundary line between the State of California and the state of Nevada, is hereby declared to be a state highway and the California state highway commission is hereby authorized and empowered to do such things as shall be necessary to properly supervise, improve and maintain said highway as a state highway."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 633?"

The roll was called, and Assembly amendments to Senate Bill No. 633, concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—32.

NOES—None.

Senate Bill No. 633 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 215—An act to amend section 626f of the Penal Code, relating to the protection of game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED FIFTEEN.

Senator Powers asked for and was granted unanimous consent to take up Senate Bill No. 215.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 215—An act to amend section 626f of the Penal Code, relating to the protection of game.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED FIFTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended April 5th, following the comma after the word "provided" insert the following: "that every person in game district one and one-half of the State of California, who, between the sixteenth day of October and the thirty-first day of August, both dates inclusive, of the following year, hunts, pursues, takes, kills or destroys or has in his possession, whether taken or killed in the State of California, or shipped into the state from any other state or territory or foreign country, any male deer or any deer meat, is guilty of a misdemeanor; *provided further*,".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 215?"

The roll was called, and Assembly amendment to Senate Bill No. 215 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—30.

NOES—None.

Senate Bill No. 215 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE.

Senator Eden asked for and was granted unanimous consent to take up Senate Bill No. 3.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "four" and in lieu thereof insert the word "five".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 3?"

The roll was called, and Assembly amendment to Senate Bill No. 3 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gossil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sharkey, Slater, and Swing 30.

NOES—None.

Senate Bill No. 3 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, and as case of urgency, Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235a, relating to county recorders of counties of the sixth class and the expenses of their offices and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER NINE.

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 9.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235a, relating to county recorders of counties of the sixth class and the expenses of their offices.

Bill read third time.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the amended bill, strike out the word "recording" and insert in lieu thereof the word "transcribing".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the amended bill, strike out the word "recorded" and insert in lieu thereof the word "transcribed".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the amended bill, strike out the word "recording" and insert in lieu thereof the word "transcribing".

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the amended bill, strike out the word "record" and insert in lieu thereof the word "transcribe".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the amended bill, strike out the word "recording" and insert in lieu thereof the word "transcribing".

CONSIDERATION OF SENATE BILL NUMBER SIX.

On May 1, 1923, the Senate Bill, Senate Bill No. 6, was read the first time and the second time and passed.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 6?"

The roll was called, and Assembly amendments to Senate Bill No. 6 concurred in by the following vote:

Ayes—Senators Allen, Armstrong, Brown, Campbell, Chandler, Crocker, Denny, Egan, Evans, Gage, Gentry, Haines, Hays, Hedges, Hiram, Johnson, Jones, Keith, Lester, McFarland, Merrill, Nelson, Osburn, Quinn, Rusk, Sargent, Smith, and Sprague.
Nays—None.

Senate Bill No. 6 ordered to enrollment.

Also:

Assembly Chamber, SACRAMENTO, May 16, 1923.

Mr. Thompson: I am directed to inform your honorable body that the Assembly adjourned, and as this adjournment is indefinite, Senate Bill No. 6, as amended, is not to go to the Political Code, but to be considered without delay, and as the Senate is not in session, the Senate will not be able to take any action thereon.

ARTHUR A. CHINIMUS, Chief Clerk.
By JAMES E. PEARSON, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-SIX.

Senator Nelson asked for and was granted unanimous consent to take up Senate Bill No. 66.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 7174, relating to the salaries of superior court judges.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-SIX.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-SIX.

On May 1, 1923, the Senate Bill, Senate Bill No. 66, was read the first time and the second time and passed.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 66?"

The roll was called, and Assembly amendments to Senate Bill No. 66 concurred in by the following vote:

Ayes—Senators Allen, Armstrong, Brown, Campbell, Chandler, Crocker, Denny, Egan, Evans, Gage, Gentry, Haines, Hays, Hedges, Hiram, Johnson, Jones, Keith, Lester, McFarland, Merrill, Nelson, Osburn, Quinn, Rusk, Sargent, Smith, and Sprague.
Nays—None.

Senate Bill No. 66 ordered to enrollment.

Also:

Assembly Chamber, SACRAMENTO, May 16, 1923.

Mr. Thompson: I am directed to inform your honorable body that the Assembly adjourned, and as this adjournment is indefinite, Senate Bill No. 66, as amended, is not to go to the Political Code, but to be considered without delay, and as the Senate is not in session, the Senate will not be able to take any action thereon.

ARTHUR A. CHINIMUS, Chief Clerk.
By JAMES E. PEARSON, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FOUR.

Senator Pearson asked for and was granted unanimous consent to take up Senate Bill No. 274.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, as amended May 9, 1923, strike out lines 46 to 52, both inclusive, and all of page 7 of the printed bill.

AMENDMENT NUMBER TWO.

On page 6 of the printed bill strike out lines 50, 51 and 52, and on page 7 of the printed bill strike out lines 1 to 6, both inclusive, and in lieu thereof insert the following: "county in reporting all civil and criminal cases and proceedings in the courts of the county and other county work. In all cases where fees are paid by the parties litigant for the services of the court reporter such fees shall be paid into the county treasury: *provided*, that for transcribing his notes in all cases and proceedings when ordered or required by law such reporter shall be allowed, in addition to his salary, such fees as are now or may hereafter be allowed by law. The salary of the reporter shall be paid out of the county treasury at the same time and in the same manner as other county officers are paid."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 274?"

The roll was called, and Assembly amendments to Senate Bill No. 274 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, and Swing—33.

NOES—None.

Senate Bill No. 274 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED TWENTY.

Senator Godsil asked for and was granted unanimous consent to take up Senate Bill No. 420.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED TWENTY.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "Seventy-five" and insert in lieu thereof the word "Fifty-five".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 420?"

The roll was called, and Assembly amendments to Senate Bill No. 42 suggested by the following vote:

Ayes—Senators John Anthony Rogers, George John Davidson, Joseph Francis Davis, James H. Davis, John W. Davis, Martin Davis, Eugene Davis, Joseph Davis, Robert A. N. Edwards, M. H. Jones, Frank McMillan, Milton Nelson, James Hamilton Ross, Stephen Scott, and George W. Shaw, 16.
Nays—None.

Senate Bill No. 42 ordered to be considered.

Done.

ASSEMBLY CONSIDERS SENATE BILL MAY 16, 1923

Mr. FARRINGTON: I am desirous to bring your attention both to the Assembly action and to the fact that an amended Senate Bill No. 42—as yet in committee—contains 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 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590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

ARTHUR A. JOHNSON, Chief Clerk.
JOHN E. PHILLIPS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED THIRTY

Senator FARRINGTON asked for and was granted unanimous consent to bring up Senate Bill No. 331.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up the recommending Assembly amendments to Senate Bill No. 331. As yet no formal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED THIRTY

AMENDMENT NUMBER ONE

To the said bill, after the word "and" as provided May 2, 1923, add the word "thereby".

AMENDMENT NUMBER TWO

To the said bill, after the word "and" as provided May 2, 1923, add the word "thereby".

AMENDMENT NUMBER THREE

To the said bill, after the word "and" as provided May 2, 1923, add the word "thereby".

AMENDMENT NUMBER FOUR

To the said bill, after the word "and" as provided May 2, 1923, add the word "thereby".

AMENDMENT NUMBER FIVE

To the said bill, after the word "and" as provided May 2, 1923, add the word "thereby".

AMENDMENT NUMBER SIX

To the said bill, after the word "and" as provided May 2, 1923, add the word "thereby".

AMENDMENT NUMBER SEVEN.

On page 8, line 44, of the printed bill as amended May 4, 1923, strike out the number "20" and insert in lieu thereof the number "19".

AMENDMENT NUMBER EIGHT.

On page 8, line 51, of the printed bill as amended May 4, 1923, strike out the number "21" and insert in lieu thereof the number "20".

AMENDMENT NUMBER NINE.

On page 9, line 4, of the printed bill as amended May 4, 1923, strike out the number "22" and insert in lieu thereof the number "21".

AMENDMENT NUMBER TEN.

On page 9, line 16, of the printed bill as amended May 4, 1923, strike out the number "23" and insert in lieu thereof the number "22".

AMENDMENT NUMBER ELEVEN.

On page 9, line 23, of the printed bill as amended May 4, 1923, strike out the number "24" and insert in lieu thereof the number "23".

AMENDMENT NUMBER TWELVE.

On page 9, line 43, of the printed bill as amended May 4, 1923, strike out the number "25" and insert in lieu thereof the number "24".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 51, of the printed bill as amended May 4, 1923, strike out the number "26" and insert in lieu thereof the number "25".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 12, of the printed bill as amended May 4, 1923, strike out the number "27" and insert in lieu thereof the number "26".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 603?"

The roll was called, and Assembly amendments to Senate Bill No. 603 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Nelson, Powers Sharkey Slater, Swing, and West—28.

NOES—None.

Senate Bill No. 603 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 325—An act to amend section 57 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 325 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article XI thereof, relating to the compensation of city, county, town or municipal officers.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Constitutional Amendment No. 15 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, County of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 625 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Concurrent Resolution No. 27 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921:

Also: Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; noes—4.

OSBORNE, Chairman.

Assembly Bills Nos. 552 and 1376 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10, 25, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919—

has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

SLATER, Chairman.

Assembly Bill No. 1304 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 601—An act to repeal section 626*a* of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Committee membership—15; committee vote: Ayes—10; absent—5.

ROMINGER, Chairman.

Assembly Bill No. 601 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—10; absent—5.

ROMINGER, Chairman.

Assembly Bill No. 794 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 466—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts, and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—10; absent—5.

ROMINGER, Chairman.

Assembly Bill No. 466 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11; committee vote: Ayes—6; absent—5.

BOGGS, Chairman.

Assembly Bill No. 732 ordered on file for second reading.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

LYON, Chairman.

Assembly Concurrent Resolution No. 23 ordered on file.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the state, for the con-

struction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

McDONALD, Chairman.
SLATER.
CROWLEY.
HART.
OSBORNE.
HANDY.
RUSH.
HURLEY.
ALLEN.

Assembly Bill No. 1180 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1347—An act to amend section 1584 of the Penal Code, relating to manufactures in the prisons of this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

ALLEN, Chairman.
SAMPLE.
CROWLEY.
RUSH.
GODSIL.
McDONALD.
CARR.

Assembly Bill No. 1347 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1058—An act to amend section 360b of the Political Code, relating to Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—9; committee vote—Ayes—9.

JOHNSON, M. B., Chairman.

Assembly Bill No. 1058 ordered re-referred to Committee on Finance.
Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement;

Also: Assembly Bill No. 211—An act to amend sections 363, 363a, 363c and 363h of the Political Code, relating to the Department of Public Works;

Also: Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly;

Also: Assembly Bill No. 608—An act regulating the sale and use of poisons in the State of California; providing penalties for the violation thereof; and repealing all acts and parts of acts in conflict with the provisions of this act;

Also: Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

JOHNSON, M. B., Chairman.

Assembly Bills Nos. 35, 211, 285, 608 and 1110 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1111—An act to amend section 19 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II^f, embracing sections 364 to 365^c, both inclusive, relating to the California Highway Commission: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

JOHNSON, M. B., Chairman.

Assembly Bills Nos. 1111 and 1338 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District prescribing its boundaries and providing for the government and control thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

DENNETT, Chairman.
HARRIS.
WEST.
POWERS.
RUSH.

Assembly Bill No. 1297 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Assembly Bill No. 841 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 154—An act relating to employment where the work is to be performed outside of this State by persons hired within this State; prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Assembly Bill No. 154 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Assembly Bill No. 1351 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County to be known as the G. H. Douglas Bridge and making an appropriation therefor;

Also: Assembly Bill No. 165—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County;

Also: Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles national forest, and to make an appropriation therefor;

Also: Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor;

Also: Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines as executor against the State of California;

Also: Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—11; absent—5.

GATES, E. J., Chairman.

Assembly Bills Nos. 22, 60, 165, 188, 309, 435 and 436 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district;

Also: Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California;

Also: Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County;

Also: Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California;

Also: Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation;

Also: Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—11; absent—5.

GATES, E. J., Chairman.

Assembly Bills Nos. 114, 451, 1009, 1320, 1332 and 1041 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California;

Also: Assembly Bill No. 672—An act making an appropriation to pay the claim of E. A. Wheeler, against the State of California;

Also: Assembly Bill No. 673—An act appropriating money to pay the claim of the Clark and Henry Construction Company against the State of California;

Also: Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669a of the Political Code;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669a of the Political Code;

Also: Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 73722, relating to the salaries of superior court judges;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—11; absent—5.

GATES, E. J., Chairman.

Assembly Bills Nos. 671, 672, 673, 855, 856 and 1019 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins;

Also: Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California;

Also: Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 738e, relating to the salary of superior judges in counties of the forty-sixth class;

Also: Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California;

Also: Assembly Bill No. 641—An act making an appropriation to pay the claim of the B. F. Coulter Association, a corporation, against the State of California;

Also: Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California;

Also: Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry, against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—11; absent—5.

GATES, E. J., Chairman.

Assembly Bills Nos. 437, 441, 498, 638, 641, 669 and 670 ordered on file for second reading.

MOTION.

On motion of Senator Gates, E. J., Assembly bills reported from committee were taken up for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10, 25, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the amended bill, omit the words "ten, twenty-five, thirty-three and thirty-six," and insert in lieu thereof the words "eight, ten, twenty-five, and thirty-three."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 27, of the amended bill, omit the words and dotted line following, "The year of my birth was-----".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 28 and 29, of the amended bill, omit the words "married or single" with the bracket and enclosed dotted line, and insert in lieu thereof the words and dotted line "duration of residence in California-----".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 42, of the amended bill, omit the word "as," and insert in lieu thereof the word "at."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 7, of the amended bill, omit the word "verified," and insert in lieu thereof the word "certified."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the amended bill omit lines 10 to 25 inclusive, and insert in lieu thereof the following:

"(b) The declaration shall be made in duplicate except as hereinafter provided, and each copy thereof shall be subscribed and sworn to before some officer authorized to administer oaths, and thereupon at least sixty-five days before the August primary election, and at least forty-five days before a primary election other than the August primary, shall be left with the county clerk or registrar of voters in the county in which the candidate resides. Such clerk or registrar of voters shall forthwith certify and transmit to the secretary of state one copy of the declaration of each candidate for state officers, United States senators, representatives in congress, members of the state senate and assembly, delegates to state conventions from hold-over senatorial districts, and all officers to be voted for in districts comprising more than one county, and shall file the other copy in his own office. In the case of candidates to be voted on at a municipal election at a primary other than the August primary, he shall transmit one copy of the declarations of such candidates to the city clerk of the municipality concerned, and shall file the other copy in his own office. In the case of candidates for all other offices the declarations need not be made in duplicate, and shall be filed in the office of the county clerk or registrar of voters."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, lines 48, 49 and 50 of the amended bill, omit the comma in line 48 and everything following and insert in lieu thereof a period and the following: "In the case of every candidate to be voted for at the primary election for whom the number of sponsor certificates is not above provided, the number shall be not less than one-half of one per cent, nor more than two per cent, of the total vote cast at the last gubernatorial election in the county or political subdivision thereof in which such candidate seeks nomination. In the case of candidates for a party county central committee, the percentage shall be based upon the votes for the respective party candidates for governor, or, if there was no candidate for governor, for other state-wide office."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 4, of the amended bill, at the end of the line leave a blank for insertion of date as follows: "-----, 19-----."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 28, of the amended bill, after the word "be" insert the following: "made in duplicate except as hereinafter provided, and shall be".

Amendment adopted.

AMENDMENT NUMBER NINE *a*.

On page 4, line 40, of the amended bill, insert at the end of the line the words "any signature in".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 1, of the amended bill, after the word "left", insert the following: "one copy of such certificate shall".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 7, of the amended bill, in place of the period insert a comma and the following: "and shall include therewith a typewritten list of the sponsors not marked "not sufficient," their addresses and occupations. The duplicate copies of such sponsor certificates he shall file in his own office."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 13, of the amended bill, after the word "and" insert the following: "one copy of such certificate".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 16, of the amended bill, after the period insert as follows: "The duplicate copies of such sponsor certificates the county clerk or registrar of voters shall file in his own office."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 20, of the amended bill, in lieu of the period insert as follows: A comma and the words "and such sponsor certificates shall not be made in duplicate, and shall be so arranged, by pluralizing of pronouns and otherwise, as to admit of the signatures of not exceeding fifty sponsors on the same sponsors' certificate."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN *a*.

On page 5, line 22 of the amended bill, after the words "number of" insert the words "blanks for".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 32, of the amended bill, after the word "certificate," insert the following: ", except as provided at the end of subdivision (g) above,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, lines 42, 43 and 44, of the amended bill, omit all of lines 42 and 43, and the first three words of line 44.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 2, of the amended bill, after the period insert the following: "He shall also furnish to each county clerk or registrar of voters a copy of the declarations and a list of sponsor certificates, including addresses and occupations of all candidates for state senate or assembly, and all candidates for delegate to state conventions, to be voted for in the county to which such copy and list is sent; *provided*, that in the case of such candidates to be voted for wholly within one county or city and county, the secretary of state need only refer to the declarations and sponsor certificates already on file in the office of the county clerk or registrar of voters."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, lines 4 and 5, of the amended bill, omit the following: "add all declarations filed in his office" and insert in lieu thereof the following: "of such pamphlet add thereto the declarations of all candidates for state senate and assembly and delegates to state conventions,".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 8, of the amended act, after the period insert the following: "As soon as said pamphlets are printed the county clerk or registrar of voters of each county or city and county, shall file one copy with the secretary of state and send one copy to each candidate whose declaration of candidacy is printed therein."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, lines 10 and 11, of the amended bill, omit the words "fourteen point type" and the remaining portion of each certificate in ten point type," and insert in lieu thereof "black face type, the names of the candidates to be in capital letters."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6, lines 38 and 39, of the amended bill, omit the words "judicial, school, county and township" and insert in lieu thereof the words "judicial and school offices to be voted on in more than one county,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE a.

On page 7, line 32, of the amended bill, after the word "act", insert a comma and the words "and designated as nomination papers in other portions of the act,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 7, omit all of lines 34 to 39, inclusive, of the amended bill, and insert in lieu thereof as follows: "in congress, members of the state senate and assembly, delegates to state conventions from hold-over senatorial districts, and all officers to be voted for in more than one county, one copy in the office of the secretary of state, and a duplicate copy in the office of the county clerk or registrar of voters of the county in which the candidate or sponsors reside.

2. For all officers to be voted for wholly within one county or city and county except as provided in subdivisions one and three of this section, in the office of the county clerk or registrar of voters of such county or city and county."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 8, in lines 3 to 8, inclusive, of the amended bill, omit everything to and including the word "Assembly" in line 8, and insert in lieu thereof as follows: "assembly."

4. A filing fee of ten dollars, except as in subdivision six below, shall be paid to the county clerk or registrar of voters in any county or city and county when the declaration certificate of any candidate".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, after line 40, of the amended bill, insert the following:

"SEC. 4. Section eight of said act is hereby amended to read as follows:

Sec. 8. The county clerk shall immediately pay to the county treasurer, and the registrar of voters in any city and county shall immediately pay to the city and county treasurer, all fees received from candidates. The city clerk or secretary of the legislative body of any municipality shall immediately pay to the city treasurer all fees received from candidates. Within ten days after the primary election the secretary of state shall pay to the state treasurer all fees received from candidates and shall apportion the fees paid to him by each candidate to the county in which such candidate resides if such candidate is to be voted for wholly within one county or city and county, and otherwise equally among the counties within which such candidate

is to be voted for, and certify such apportionment to the state controller, who shall issue warrants on the state treasurer for the amount due each county and the state treasurer shall pay the same."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 41, of the amended bill, omit the figure "4" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 9, after line 2, of the amended bill, insert the following:

"Such county clerk or registrar of voters shall forthwith, upon receipt thereof, publish under the proper party designation the title of each office (except a judicial office or a school office) which appears upon the certified list (transmitted by the secretary of state as hereinbefore provided, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices in the office of the secretary of state, and also the names of all candidates for the state senate and assembly when such candidates are to be voted for wholly within one county or city and county, and for the county central committee, filed in the office of the county clerk or registrar of voters. He shall also publish the title of each judicial office, school office, county office, and township office, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices, either in the office of the secretary of state or in the office of the county clerk or registrar of voters, and shall state that candidates for said judicial, school, county, and township offices may be voted for at the primary election, by any registered, qualified elector of the county, whether registered as intending to affiliate with any political party or not. He shall also publish the date of the primary election, the hours during which the polls will be open, and that the primary election will be held at the legally designated polling places in each precinct, which shall be particularly designated. It shall be the duty of the county clerk or registrar of voters in any city and county to cause such publication to be made once each week for two successive weeks prior to said primary election."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 3, of the amended bill, omit the figure "5" and insert in lieu thereof the figure "6."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 32, of the amended bill, omit the figure "6" and insert in lieu thereof the figure "7."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 10 of the amended bill, omit lines 39 to 46, inclusive.

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 466—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended May 9, 1923, in line 1 of the title following the word "Twenty-four" insert the following: "and Twenty-five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill as amended May 9, 1923, following line 44, insert the following:

"Sec. 2. Section twenty-five of said act is hereby amended to read as follows:

Sec. 25. Fish and game district four "C" shall consist of and include that certain territory embraced within the Cleveland national forest, more particularly described as follows, to wit: The east half of township five south, range seven west; all of township five south, range six west, except sections one, two, three, ten, eleven and twelve; all of township six south, range six west, except the west one-half of fractional section nineteen, all of fractional section thirty and the west one-half of fractional section twenty-nine of said township six south, range six west; the west half of township six south, range five west; all of township seven south, range six west; the west one-half of township seven south, range five west; all in San Bernardino base and meridian in the State of California."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disburse-

ment of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to Department of Finance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 211—An act to amend sections 363, 363*a*, 363*c* and 363*h* of the Political Code, relating to the Department of Public Works.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 608—An act regulating the sale and use of poisons in the State of California; providing penalties for the violation thereof; and repealing all acts and parts of acts in conflict with the provisions of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1111—An act to amend section 19 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II/embracing sections 365 to 365c, both inclusive, relating to the California Highway Commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District prescribing its boundaries and providing for the government and control thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 40, of the amended printed bill, after the word "authority" insert the following: "(including the power to develop and store water for domestic, agricultural or hydro-electric power purposes)."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 44, of the amended printed bill, strike out the word "including", and all the remainder of said line, and lines 45 and 46.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 14, of the amended printed bill, strike out the word "directors", and insert in lieu thereof the word "officers".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 25, of the amended printed bill, after the word "property" insert "(including water and rights to water)".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 30, of the amended printed bill, after the word "distribution", strike out the word "of", and all of lines 31 and 32, and insert in lieu thereof "within its own boundaries, of water whether furnished by said Mono-Inyo water district or otherwise acquired".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 21, of the amended printed bill, after the word "district" insert the following: "excepting, however, water owned or appropriated by municipal corporations for the municipal and domestic purposes of their inhabitants, or by or on behalf of an irrigation district formed, or to be formed".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 22, of the amended printed bill, strike out the word "perfected", and insert in lieu thereof the words "acquired by appropriation or otherwise".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 23, of the amended printed bill, at the end of the line, insert the following: "where application has heretofore been made to the division of water rights of the State of California for any of said waters by or on behalf of an irrigation district already formed, or the formation of which is contemplated, nothing in this act shall interfere with the right of said district to complete its said application

and divert the amount of water necessary for the irrigation of the lands in said district provided reasonable diligence is used in the prosecution and completion of said work".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "to" after the word "advancement" and the comma after the word "to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the comma after the word "defraud".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies.

Bill read second time, and ordered on file for third reading.

MOTION TO RECALL BILL FROM COMMITTEE.

Senator Sample moved that Assembly Bill No. 980 be recalled from the Committee on Governmental Efficiency, and be forthwith placed on file for consideration.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

The question being on the motion to recall Assembly Bill No. 980 from committee.

The roll was called, and the motion carried by the following vote:

AYES—Senators Arbuckle, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lyon, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senators Allen, Boggs, Dennett, Harris, Inman, Johnson, M. B., Jones, Lewis, Murphy, and Nelson—10.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks

and Dagmar F. Weeks has has the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.
Committee membership—16; committee vote: Ayes—11; absent—5.

GATES, E. J., Chairman.

Assembly Bill No. 849 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors:

Also: Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041a, relating to boards of supervisors:

Also: Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

SWING, Chairman.
LYON.
SLATER.
WEST.
CARR.
CANEPA.
POWERS.
HANDY.
SHARKEY.

Assembly Bills Nos. 491, 654 and 721 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737mm, relating to the salaries of superior judges, approved June 3, 1921:

Also: Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737zzz, relating to the salaries of superior court judges:

Also: Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737ab, relating to the salaries of superior court judges in and for the county of Contra Costa:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and that they be re-referred to the Committee on Finance.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 402, 1017 and 1370 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1071 and relating to distribution of estates:

Also: Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust:

Also: Assembly Bill No. 936—An act to amend section 927p of the Code of Civil Procedure, relating to the small claims court:

Also: Assembly Bill No. 937—An act to amend sections 927c and 927l of the Code of Civil Procedure, relating to the small claims court:

Also: Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bills Nos. 348, 922, 936, 937 and 1021 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; noes—1; absent—5.

JONES, Chairman.

Assembly Bill No. 1352 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure relating to undertaking on appeal in justice's court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bill No. 206 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981a, relating to dismissal of appeal—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, Chairman.

Assembly Bill No. 1020 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—13; absent—2.

HARRIS, Chairman.

Assembly Bill No. 163 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended:

Also: Assembly Bill No. 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention:

Also: Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library:

Also: Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children:

Also: Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1008a, relating to school districts:

Also: Assembly Bill No. 934—An act to amend sections 362a, 362b, 362c and 362d of the Political Code, relating to the Department of Education:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—13; absent—2.

HARRIS, Chairman.

Assembly Bills Nos. 660, 806, 986, 1273, 1369 and 934 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1127—An act to amend sections 7 and 14 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended"; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

CROWLEY, Chairman.
JOHNSON, A. B.
GATES, DR.
GRAY.
POWERS.
CANEPA.

Assembly Bills Nos. 1127 and 1378 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

CROWLEY, Chairman.

Assembly Bill No. 191 ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

CHAMBERLIN, Chairman.
SAMPLE.
GATES, DR.
BURNETT.
LYON.
ALLEN.

Assembly Constitutional Amendment No. 25 ordered on file.

Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County to be known as the G. H. Douglas Bridge and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the superior court of Los Angeles County. Bill read second time, and ordered on file for third reading.

Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 20 and 21, of the printed bill, strike out the words "be either the whole or a part of one or more incorporated cities," and insert in lieu thereof the words "include the whole or part of one or more incorporated cities; *provided, however*, that less than the whole of any incorporated city shall not be included in such district except by unanimous consent of the governing body of such city; *provided, further*, that such district shall not include the whole or part of any other district formed for similar purposes."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, after the word "district" add the words "and that a majority of those voting thereon in each municipality or part thereof".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 44, 45 and 46, of the printed bill, strike out the words "The board of supervisors of any county in which shall be created a sanitation district shall be the governing body thereof," and insert in lieu thereof the following: "Such sanitation district shall be governed by a board of directors of not less than three members. The presiding officer of the governing body of each incorporated city, the whole or part of which is included in such district, shall automatically become a member of such board of directors. If unincorporated territory and but one incorporated city or part thereof be included in such district, the presiding officer, and one other member, of the board of supervisors of the county in which said district is organized shall be members of the board of directors, unless the population of such city or part thereof exceed that of the unincorporated territory included within such district, in which event the presiding officer of such board of supervisors and the presiding officer of the governing body of such city and one other member of such governing body shall constitute such board of directors; but whenever unincorporated territory and two or more cities or parts thereof are included in such district, the presiding officer of the board of supervisors of the county in which such district is located shall be a member of such board of directors. In the event such district contains no unincorporated territory, the board of directors thereof shall consist of the presiding officers of the governing bodies of the cities wholly or in part within said district; and in event there be but two cities or parts thereof in such district, one additional member shall be selected from the governing body of each such city. In the event the whole of such district shall be unincorporated territory, the board of supervisors of the county in which the district is organized shall be and constitute such board of directors."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 46, of the printed bill, strike out the word "it", and insert in lieu thereof the words "such board of directors".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 3, of the printed bill, strike out the period, insert in lieu thereof a comma, and add the following: "*provided, however,* that no such sewerage system or sewage disposal or treatment plan shall be constructed or maintained in any city not within the district, except by consent granted by the unanimous vote of the governing body of such city."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 11, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 16, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 31, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 33, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 37, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 44, of the printed bill, strike out the words "the clerk of".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 4, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 9, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 16, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 1, lines 23 and 24, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 28, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 34, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 47, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 5, line 6, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, lines 13 and 14, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 15, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 25, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 42, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 50, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 2, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 19, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 33, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 41, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 48, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 6, line 50, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 7, line 2, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 7, lines 10, 11 and 12, of the printed bill, strike out the words "Any material purchased by the county shall be purchased by the purchasing agent of the county or if there is no purchasing agent, then by the board of supervisors."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 25, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 7, line 27, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 7, line 41, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 7, line 42, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 7, line 46, of the printed bill, after the word "property" insert the words "within the district".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, line 46, of the printed bill, strike out the word "county" and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 7, line 47, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 7, line 50, of the printed bill, strike out the words "supervisors of the county", and insert the word "directors".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 8, line 7, of the printed bill, strike out the word "county", and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 8, line 17, of the printed bill, strike out the word "county", and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 8, line 18, of the printed bill, strike out the word "county", and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 8, line 21, of the printed bill, after the word "community", insert the words, "within the district".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 8, line 22, of the printed bill, strike out the words "board of supervisors of the county or".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 8, line 31, of the printed bill, strike out the words "county, but shall be repaid to the county", and insert in lieu thereof the words "district and shall be paid".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of" strike out the words "one thousand".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session

of the Legislature concerning the adoption of an Old Age Pension Law and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 348.—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 436.—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 435.—An act making an appropriation to pay the claim of Joseph M. Rames as executor against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 114.—An act making an appropriation for the prevention and extinguishment of fires in Tamaulpais forest fire district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 441.—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 451.—An act making an appropriation to pay the claim of Carl G. Brown against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 671.—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 672.—An act making an appropriation to pay the claim of E. A. Wheeler, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 673.—An act appropriating money to pay the claim of the Clark and Henry Construction Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 638.—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 641.—An act making an appropriation to pay the claim of the B. F. Coulter Association, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 669.—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041a, relating to boards of supervisors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669a of the Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669a of the Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 934—An act to amend sections 362a, 362b, 362c and 362d of the Political Code, relating to the Department of Education.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 936—An act to amend section 927p of the Code of Civil Procedure, relating to the small claims court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 937—An act to amend sections 927*c* and 927*l* of the Code of Civil Procedure, relating to the small claims court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 18 strike out the period and insert the following: "*and provided further that any superior court may, by existing rule or by rule hereafter to be enacted, provide for dismissal of such appeal within a time less than one year.*"

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1127—An act to amend sections 7 and 14 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure relating to undertaking on appeal in justice's court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins.

Bill read second time, and ordered on file for third reading.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS—
(OUT OF ORDER).

ASSEMBLY JOINT RESOLUTION No. 13.

Relative to the indorsement of H. R. 13298 and Senate Bill No. 4142, to amend the War Risk Insurance and the Vocational Rehabilitation Act so as to include disabled veterans, of all the wars of the United States, and their dependents.

WHEREAS, There is now pending before the Congress of the United States a bill known as H. R. 13298 and S. 4142, which bills have the same object; namely to amend the War Risk Insurance Act and the Vocational Rehabilitation Act in order to include as beneficiaries of said act in all its several provisions, all disabled veterans of all wars of the United States of America, and their dependents; and

WHEREAS, This amendment is one which in due justice and consideration to all veterans of all the wars of the United States should be added to the said acts; now, therefore, be it

Resolved by the Assembly and the Senate, jointly. That the Legislature of the State of California at its forty-fifth session urges upon the Congress of the United States the adoption of such bills and the justice and fairness attendant upon the enactment of the same; and be it further

Resolved, That a copy of this joint resolution be sent, by the Chief Clerk of the Assembly, to the President of the United States and to each member of the Congress of the United States from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 13 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B. Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West 33.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 13 ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319*i* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Creighton moved to refer Assembly Bill No. 838 to Senator Hurley as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 13 following the period and all of lines 14 to 20, both inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 838, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, Special Committee.

Report read, and on motion of Senator Creighton, adopted.
Bill ordered to print.

RECESS.

At one o'clock p.m., on motion of Senator Gates, E. J., the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beek, Secretary of the Senate, at the desk.

COMMUNICATION.

The following communication was received by Senator McDonald and ordered printed in the Journal:

SACRAMENTO FEDERATED TRADES COUNCIL,
SACRAMENTO, May 15, 1923.

To Whom It May Come, Greeting.

WILLREAS. For a great many years organized labor and child labor organizations of the State of California have been endeavoring to protect the street trades children and place them under the protection of the child labor laws of the State.

WHEREAS, Assembly Bill No. 810, which passed the Assembly and was recommended by the Senate Labor and Capital committee "do pass", was defeated in the Senate May 14, 1923, by the corporation-controlled Senators and weaklings who were afraid of the newspapers and had to vote against Assembly Bill No. 810 on instructions from the representatives of the publishers, therefore be it

Resolved, That the Sacramento Federated Trades Council commend the action of the following Senators in voting for the bill:

Senators F. S. Boggs, J. Creighton, L. L. Dennett, E. S. Hurley, J. M. Inman, M. B. Johnson, H. C. Jones, W. A. McDonald, D. C. Murphy, and F. J. Powers.

Resolved, That the Sacramento Federated Trades Council send copies of these resolutions expressing appreciation and thankfulness that we still have red-blooded men in the Senate, to the Senators who are not afraid of the exploiters of the street trades children.

S. A. BRITTAIN, President.
J. L. R. MARSH, Secretary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area;

Also: Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 288, 407 and 436 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class;

Also: Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies;

Also: Senate Bill No. 334—An act to amend section 626g of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 72, 90, 334 and 651 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships;

Also: Senate Bill No. 728—An act to amend section 67b of the Code of Civil Procedure, relating to sessions of the superior court.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 701 and 728 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 687—An act to add a new section to the Political Code to be numbered 738cc, relating to the salaries of superior judges;

Also: Senate Bill No. 146—An act to amend sections 2, 5, 7, 8, 9 and 10 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921;

Also: Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills No. 687, 146 and 581 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737f, relating to salaries of superior court judges;

Also: Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737cc, relating to the salaries of superior court judges;

Also: Senate Bill No. 425—An act to amend section 626w of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 455—An act to amend section 5 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By J. E. POWERS, Assistant Clerk.

Senate Bills Nos. 42, 132, 425 and 455 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 511—An act to amend section 626d of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters;

Also: Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737ccc, relating to the salaries of superior court judges;

Also: Senate Bill No. 674—An act to add a new section to the Penal Code, to be numbered 627c, relating to fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.
By J. E. POWERS, Assistant Clerk.

Senate Bills Nos. 507, 511, 515, 599 and 604 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 738—An act to amend section 19e5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing a salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers:

Also: Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By J. E. POWERS, Assistant Clerk.

Senate Bills Nos. 738 and 705 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes:

Also: Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended:

Also: Senate Bill No. 248—An act to amend sections 7 and 8g of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be numbered section 5a.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 723, 491 and 248 ordered to enrollment.

LEAVE OF ABSENCE.

Senator Hurley asked for and was granted leave of absence at two o'clock and twenty minutes until three o'clock.

[Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED SIX.

Senator Sample asked for and was granted unanimous consent to take up Senate Bill No. 506.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SIX.

AMENDMENT NUMBER ONE.

On page 1, lines 22 and 23, of the printed bill, as amended April 19, strike out the words "sixteenth day of September" and insert in lieu thereof the words "thirty-first day of August".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the words "October and the fourteenth day of" and insert in lieu thereof the words "and the twenty-fifth day of".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 506?"

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Sample moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Handy, Hughes, Hurley, Luman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Osborne, Powers, Sample, Slater, Swing, and West—22.

The Secretary announced the absentees.

Time, two o'clock and ten minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF SENATE.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 438. An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED THIRTY-EIGHT.

Senator Allen asked for and was granted unanimous consent to take up Senate Bill No. 438.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "plant", insert the words "fruit, nut or other."

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "engineer", strike out the balance of line and insert in lieu thereof the words, "to plant or direct the planting of such trees."

AMENDMENT NUMBER THREE.

On page 1, after line 6, of the printed bill, insert the following:

"SEC. 2. Such trees may be selected, planted and may be cultivated and maintained from year to year by the owner or owners of property abutting on such highway, and fruit or nuts grown on such trees shall be the property of the owner or owners of the abutting land on such highway."

AMENDMENT NUMBER FOUR.

Strike out lines 7 to 16, inclusive, and insert in lieu thereof the following:

"SEC. 3. In case the owner or owners of any abutting land fails to plant such trees or maintain them then the engineer shall plant or direct the planting and maintenance thereof, and the cost of such planting shall be assessed to such abutting property owners in proportion to the frontage which each may own along said highway and said assessments shall be collected by the county tax collector in the same manner as other assessments are collected.

SEC. 4. Such sums as are realized from these assessments shall be, when collected, deposited in the general fund of the county and become a part thereof."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 438?"

The roll was called, and Assembly amendments to Senate Bill No. 438 concurred in by the following vote:

AYES—Senators Allen, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—23.
NOES—None.

Senate Bill No. 438 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED TWENTY-NINE.

Senator Hurley asked for and was granted unanimous consent to take up Senate Bill No. 729.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED TWENTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "sea" strike out the word "wall" and insert in lieu thereof the word "walls," and add thereto the words "breakwaters, jetties,".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, after the word "all" strike out the word "general".

AMENDMENT NUMBER THREE.

On page 1, line 17, of the printed bill, after the letters "tricts" insert a "comma" and add the following: "and for the establishment of the boundaries of such district".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 729?"

The roll was called, and Assembly amendment to Senate Bill No. 729 concurred in by the following vote:

AYES—Senators Allen, Boggs, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—27.

NOES—None.

Senate Bill No. 729 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED SEVENTY-EIGHT.

Senator Gates, Dr., asked for and was granted unanimous consent to take up Senate Bill No. 678.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED SEVENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended April 19, strike out the word "tunnel" and insert in lieu thereof the word "tunnels".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 678?"

The roll was called, and Assembly amendment to Senate Bill No. 678 concurred in by the following vote:

AYES—Senators Allen, Boggs, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Senate Bill No. 678 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 629—An act to amend

section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED TWENTY-NINE.

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 629.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED TWENTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, after the word "who" insert the following: "in good faith".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 629?"

The roll was called, and Assembly amendment to Senate Bill No. 629 concurred in by the following vote:

AYES—Senators Allen, Boggs, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—27.

NOES—None.

Senate Bill No. 629 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 227—An act to amend sections 12, 13, 14, 17 and 19 of an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-SEVEN.

Senator Boggs asked for and was granted unanimous consent to take up Senate Bill No. 227.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data

and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16 $\frac{1}{2}$, 18 and 33.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED TWENTY-SEVEN.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 9, 1923, after the word "amend" insert the following: "sections twelve, thirteen, fourteen, seventeen and nineteen of".

AMENDMENT NUMBER TWO.

Strike out all of line 13 of the title of the printed bill, as amended April 9, 1923, following the word "amended," and all of lines 14, 15 and 16 thereof, and in lieu thereof insert a period.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, as amended April 9, 1923, strike out the word "six" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended April 9, 1923, strike out all of line 14 and all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 thereof and insert in lieu thereof the following:

"Sec. 12. The reclamation board shall have power to acquire either within or without the boundaries of the district, by purchase, condemnation or by other lawful means, in the name of the Sacramento and San Joaquin drainage district, from private persons, corporations, reclamation, swamp land, levee, protection or drainage districts, or other organizations or associations, all lands, rights of way, easements, property or material necessary or requisite for the purpose of by-passes, weirs, cuts, canals, sumps, levees, overflow channels and basins, reservoirs and other flood control works, and other necessary purposes, including drainage purposes; to construct, clear and maintain by-passes, levees, canals, sumps, overflow channels and basins, reservoirs and other flood control works; to construct and maintain ditches, canals, pumping plants, and other drainage works and to operate the same; to make contracts in the name of said district to indemnify or compensate any owner of land or other property for any injury or damage caused by the exercise of the powers by this act conferred, or arising out of the use, taking or damage of any property for any of such purposes; *provided, however,* that the reclamation board shall have no power, authority, or jurisdiction, either directly or indirectly, except as herein-after provided in section thirteen of this act, to hereafter incur any indebtedness or expend any money or adopt or carry into effect any plan or project or to acquire any lands, rights of way, or easements, or to do any work, or cause any work to be performed, for which any land lying within the Sacramento and San Joaquin drainage district shall be assessed, save and except to maintain, repair, and operate its existing works of reclamation and flood control and to complete, maintain and operate any project adopted by said board prior to April 1, 1923, with the existing powers to levy assessments therefor. The board shall also have power to maintain actions in the name of the people of the State of California to restrain the doing of any act or thing that may be injurious to any of the works necessary to said plan of flood control or that may interfere with the successful execution of said plan or for damages for injury thereto, and any damages so recovered shall be deposited with the state treasurer to the credit of said district and shall be applicable to the payment of warrants against any assessment for the particular portion or project affected by such injury; to establish a standard of levee construction; to do any and all things necessary or incident to the powers hereby granted or to carry out the objects specified herein; to maintain actions in the name of the people of the State of California to compel by injunction the owner or owners of any bridge, trestle, wire line, viaduct, or embankment or other structure which shall be intersected, traversed or crossed by any by-pass, drainage canal, or overflow channel, so to construct or alter the same as to offer a minimum of obstruction to the free flow of water through any such by-pass, drainage canal, or overflow channel, and wherever necessary in the case of existing works, to compel the removal or alteration of any such embankment or other structure; to maintain actions in the name of the people of the State of California to restrain the diversion of the waters of any stream that will increase the flow of water in said Sacramento or San Joaquin rivers or their tributaries, and such diversion of the waters of any stream into said rivers or either of them or any of their tributaries, is hereby declared to be a public

nuisance which may be prevented or abated by the reclamation board; to dispose, by sale, exchange, in payment for work done or services rendered, or for any other purpose which the reclamation board might deem advisable, of any land, property, material, equipment, or any other thing in the possession of the Sacramento and San Joaquin drainage district, which, in the opinion of the reclamation board, is no longer needed for the purposes of flood control works or other necessary or convenient purposes.

In case any land, right of way or easement is or shall be needed for any work of channel excavation, enlargement, rectification or control, or for the construction of any weir, which is a part of the plans to be carried out as contemplated by this act, and which is to be done or constructed in whole or in part by the United States or by the State of California and it is or shall be necessary or be required by the United States or by the State of California before doing such work or constructing such weir, that such land, right of way or easement be conveyed to or provided for the use of the United States or the State of California free of cost, the reclamation board shall have power to acquire such land, right of way or easement and cause the same to be conveyed to the United States or to the State of California free of cost, or to be condemned for the use and in the name of the United States or the State of California in the manner provided by the laws of this state or of the United States, and to pay the cost and expense of acquiring such land, right of way or easement out of the funds of any assessment by said board applicable thereto; or if such land, right of way or easement is or shall have been already acquired by said reclamation board in the name of the Sacramento and San Joaquin drainage district, the said board shall be and is authorized to cause the same to be conveyed by said district to the United States or to the State of California free of cost.

Whenever any work to be done by the reclamation board or the Sacramento and San Joaquin drainage district under any of the provisions of this act is such that it can be so done in connection with work of public improvement of rivers and harbors authorized by the United States government as to bring it within the provisions of section four of the United States river and harbor act approved March 4, 1915, authorizing the receipt by the United States government agencies of funds to be contributed for expenditures in connection with funds appropriated by the United States for such work, then the funds under the control of the reclamation board and available for such work, or so much as may be necessary, may be contributed by the reclamation board to the United States government under the provisions of said section of said river and harbor act in order that the work may be done in the manner thereby contemplated.

Sec. 2. Section thirteen of said act, approved December 24, 1911, as amended, is hereby amended to read as follows:

Sec. 13. Whenever in the opinion of the reclamation board it shall be necessary to levy an assessment upon any lands within said drainage district for any of the purposes herein specified, including the expenses of bonding said assessment if authorized by law, said board shall adopt plans therefor and shall make careful estimates of the costs and expenses thereof. The plans to be carried out shall be divided by said board into separate portions or projects in such manner as will in its judgment best facilitate the levying of assessments for each particular portion or project in a just and equitable manner according to benefits upon the lands in said district affected by such portion or project; *provided, however*, that each separate and particular project or unit shall include all by-passes, cuts, canals, sumps, levees, pumping plants and other works of flood control and drainage as shall be necessary by reason of the carrying out and construction of the particular project, to properly conduct the water of any stream, natural or otherwise, the outlet of which has been intercepted by the construction of any levee or embankment included in such project or unit into such by-pass.

Said board shall enter in the minutes of the board a resolution to the effect that the execution of each such separate portion or project which they may determine upon is a public necessity. Each such particular portion or project shall be designated by the board in such resolution by name and number. All assessments, plans and funds intended for or connected with the execution of each particular portion or project shall be designated by such name and number and shall be kept separate and shall be used only for the purpose of carrying out such particular portion or project. Thereafter the board shall appoint three assessors who shall be disinterested persons, and shall have no interest in any real estate within said drainage district, and each of whom, before entering upon his duties, shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, directly or indirectly, and that he will perform the duties of an assessor to the best of his ability. Said assessors shall be exempt from the provisions of the civil service laws of this state. After said assessors have examined the plan or plans of the works contemplated and the estimates of the cost, they shall make a preliminary report to the reclamation board indicating the exterior boundaries of the lands that in their opinion will be benefited by the expenditures. The assessors shall then appoint a time and place in each county in which any of said lands proposed to be assessed are situated, when and where they will hear objections to the said report and also evidence concerning the manner in which said assessment should be apportioned. They shall give notice of such hearing in each of such counties by publication in a newspaper published in such county once a week for three weeks, the first publication to be not later than the

twenty-first day before the day of hearing, which notice shall contain a general designation of the lands which will in their opinion be so benefited, as aforesaid, and shall refer to said preliminary report on file in the office of the reclamation board for such exterior boundaries.

Said assessors, may amend, modify or change the exterior boundaries of the lands that, in their opinion, will be benefited by such expenditures.

If, within six months after the completion of said hearings there is filed with the board, written consent to such contemplated project, signed and acknowledged by the owners of land representing sixty-six per cent of the value of the land excluding improvements within the district, as described in the preliminary report of said appraisers, or as modified thereafter, as such value is shown by the last preceding county tax assessment roll of the county in which said land is situate, and also written consent to such contemplated project, signed and acknowledged by sixty-six per cent of the owners of land within said district as described in said preliminary report, or as modified thereafter, the board shall cause an assessment to be levied in the manner and form hereinafter provided.

Said assessors must assess upon the lands within said drainage district proposed to be assessed for the plans adopted by the reclamation board the said sums included in the estimates of said board, and shall apportion the same according to the benefits that will accrue to each tract of land in said district, respectively, affected by any particular portion or project by reason of the expenditure of said sums of money.

In determining the benefits that will or may accrue to each particular tract of land by the construction or maintenance of the works contemplated by any particular project or unit, the works of such project or unit shall be considered as a whole and lands shall be assessed for the works embraced in such project or unit only in the proportion that they will or may be benefited by the construction of the entire works embraced in the said project or unit, and no lands shall be considered as benefited by the construction or maintenance of the works embraced in such project or unit, or any part or portion thereof, nor shall any lands be assessed for the expense of the construction or maintenance of such project or unit or any part or portion thereof, because such lands have been or may be first endangered or flooded, or the natural drainage thereof obstructed by the construction or maintenance of any part or portion of the works embraced in such project or unit in advance of or prior to the completion of the construction of the entire works embraced in such project or unit.

Said assessors shall make a separate list of the lands so assessed in each county, which list shall contain a description of the tracts of land assessed by swamp land surveys, legal subdivisions, or other boundaries or references sufficient to identify the same, the name of the owner, if known, or if unknown, that fact, and the amount of the charge assessed against each tract. The name of the owner of land which is or is supposed to be the property of the estate of a deceased person in course of administration may be stated as estate of (such person, naming him), deceased. When there are two or more owners or supposed owners of any tract of land, partly known and partly unknown, the assessment may be to such known owner or owners by name and to other owners unknown. No mistake in the name of the owner, or supposed owner, of any real estate shall invalidate the assessment. In the assessment list for any county the assessors may make use of any abbreviation in common use in that county, without explanation thereof. The assessors may also in the assessment list for any county make use of other abbreviations, provided a schedule and explanation thereof with reasonable certainty shall, unless printed on each page of such assessment list, be prefixed to said assessment list and a reference thereto written, printed or stamped on each page of said assessment list whereon any such abbreviation is used. In case any land shall in the assessment list for any county be described in whole or in part by reference to a map, plat or survey, which map, plat or survey shall be on file or of record in any public office, it shall be sufficient in such description to designate such map, plat or survey by name, number or other designation sufficient to identify the same in a schedule of such maps, plats and surveys, which schedule shall be prefixed to said assessment list and shall set forth with reasonable certainty where each such map, plat or survey may be found, and shall be referred to by a reference written, printed or stamped on each page of said assessment list whereon such method of description is relied upon. The assessors appointed for any assessment may also prepare or cause to be prepared a map or maps of the whole or any part or parts of the lands to be assessed with sufficient detail to indicate thereon and identify the several tracts of lands to be separately assessed or any of them, each of which such separate tracts shall be designated on such map or maps by a distinctive number. Each of such maps shall be inscribed and designated as "reclamation board assessment map No. ..." giving each map a distinctive number. Any such map may consist of any number of sheets attached together and designated as one map. Such map or maps when approved by the reclamation board, shall be certified by the secretary of said board as having been so approved, and shall be filed for record in the office of the county recorder of the county wherein the land indicated on such map or maps is situated. There-

upon and thereafter, for the purpose of said assessment, or of any future assessment levied by said reclamation board, the assessment list for any county may, for the description of any tract of land so indicated on any such map, refer to such map and to the number by which such tract is designated on such map, and such reference, if used for that purpose, shall be a sufficient description of such tract for the purposes of such assessment list, and for the purposes of the notice of delinquent sale, certificate of sale and deed in pursuance of such sale, and all other proceedings under this act based upon such assessment. No provision of any other statute of this state relative to the filing or recording of maps in the office of the county recorder shall apply to the maps in this section referred to; *provided, however*, that the maps herein referred to shall have no legal effect for any purpose except for the convenient reference to and description of the tract of land indicated thereon for the purposes of description of such tracts of land by reference thereto in the matter of assessments levied by the reclamation board and acts and proceedings based thereon as herein provided. No fee shall be charged by any such county recorder for the filing for record of such map as in this section provided. Said lists when completed shall be filed with the secretary of the board and said secretary shall forward to the county treasurer of each county in which any lands so assessed are situated, the assessment list for such county, and the same shall be open for inspection by the public for at least sixty days. The compensation of said assessors shall be fixed and allowed by the board. The reclamation board shall appoint a time and place not less than sixty days after said list has been filed with the county treasurer when and where it will meet in each county wherein any of the lands so assessed are situated for the purpose of hearing objections to said assessments, and notice of such hearing in each county shall be filed with the county treasurer and published once a week for four weeks in some newspaper published in such county. At any time before or during such hearing any person interested in any land upon which any charge has been assessed, may file in the office of the reclamation board or with any member thereof, written objections to such assessment, stating the grounds of such objections, which said statement shall be verified by the affidavit of such person or some other person who is familiar with the facts. At such hearing, the board shall hear such evidence as may be offered touching the correctness of such assessment or the manner of its apportionment, and may modify or amend the same, and may reapportion all or any part of the entire assessment. Unless the aggregate amount of the whole of such assessment shall be modified or amended by the reclamation board so as to cause a difference of more than two and one-half per cent greater or less than the original total amount of said assessment, it shall be deemed that the assessment has not been substantially modified and no necessity shall exist for a reapportionment thereof.

If said assessment shall be reapportioned the board shall give two weeks notice as before and proceed to hear objections in each county affected, as before, and shall then reconsider said assessment and make an order approving said assessment as finally fixed; and the decision of said board shall be final, and thereafter said assessment list shall be conclusive evidence, except in the suit hereinafter provided, that the said assessment has been levied and apportioned according to law. Any person interested, as aforesaid, in any land upon which any charge has been so assessed, aggrieved by the decision of the board approving said assessment, may commence an action against the district in the superior court of the county in which said land or the greater part thereof is situated, to have said assessment upon such land modified or annulled. Such action must be commenced within sixty days after the reclamation board has approved such assessment and the assessment list for such county has been deposited in the office of the county treasurer as provided in the next section, and shall have preference over all civil actions in fixing the time of trial.

Whenever an assessment has been levied by the reclamation board upon lands in said district for general administrative expenses and other expenses not pertaining to any particular project, and the boundaries of said district have been or shall be extended so as to include lands other than the lands included within said district at the time such assessment was levied, the reclamation board shall make an estimate of the fair and equitable amount which should be contributed by the lands so included in the district by such change of boundaries for the purposes of such assessment previously levied by said board for general administrative expenses and other expenses not pertaining to any particular project, and shall levy and cause to be assessed, equalized and collected in the manner in this act provided, an assessment to the amount of such estimate upon lands so included in the district by such change of boundaries, according to benefits in the manner in this act provided.

In the event that consent in writing be not filed in the manner and at the time hereinbefore provided, no further expenditures for said project shall be made, nor shall any obligations be incurred therefor; *provided, however*, that the board may cause an assessment to be levied in the manner hereinbefore provided for the purpose of paying the necessary engineering and other expenses in preparing the plans for said project, in making the preliminary report of said assessors and in holding the hearings thereon.

SEC. 3. Section fourteen of said act, approved December 24, 1911, as amended, is hereby amended to read as follows:

Sec. 14. After the reclamation board has held the hearings in each county pursuant to section thirteen of this act and the assessment lists have been made to conform with its decision, said lists shall be certified by the secretary of the board to be correct, and shall thereupon be filed in the offices of the county treasurers, respectively, of the several counties in which are situated any of the lands assessed thereby. Each such county treasurer shall endorse thereon the date and time to the hour and minute when the same was so filed in his office; and thereafter from that time such assessment shall constitute a lien upon the lands so assessed in such county, and shall impart notice to all subsequent purchasers or incumbrancers or any person acquiring any interest in or lien upon said lands. The assessment shall then be paid to the respective county treasurers in one or more installments of such amounts, and at such times, respectively, as the board, from time to time, in its discretion, may, by order entered in its minutes, direct.

At the time within thirty days after said assessment list has been so filed in the office of the county treasurer as provided above, the whole amount of such assessment upon any tract of land therein separately assessed may be paid in cash to the county treasurer and thereupon the county treasurer shall issue his receipt therefor and shall endorse the fact and date of such payment upon the assessment list, and thereupon the lien of such assessment upon such tract of land shall cease. No interest shall be charged on any assessment paid in full within this thirty-day period. All assessments not paid in full within said period of thirty days shall bear interest at the rate of seven per cent per annum from and after the time when the assessment list is filed in the office of the county treasurer for collection. The remaining portion not yet ordered paid by said board of the assessment upon any tract of land may be voluntarily paid in full, with the accrued interest thereon, at any time after the lien of such assessment has accrued.

If any installment shall remain unpaid at the expiration of thirty days from the date of the board order calling said installment, then said installment shall become delinquent, together with accrued interest thereon to date of delinquency. When any such installment shall become delinquent, a penalty of one dollar, together with ten per cent of the amount of such installment plus interest, shall be added thereto and collected for the use of the district; *provided*, that if any action is pending in any court to have the assessment on any tract of land reviewed, modified or annulled, as provided herein, such assessment, if not annulled in said action, may, in the discretion of the board, become delinquent thirty days after any judgment rendered therein shall become final. From date of delinquency until time of delinquent sale, such unpaid installment, together with added interest and penalty, shall bear interest at the rate of seven per cent per annum.

After the said installment has become delinquent, the board, when it shall deem it advisable, shall publish in each county where such delinquencies exist, at least once a week for two weeks in some newspaper of general circulation published in the said county, a list in one notice of all said delinquencies in such county which notice shall contain a description of the property assessed as described in the assessment list or by other descriptions sufficient to identify the same, the name of the owner to whom it is assessed or a statement that it is assessed to unknown owners, if such is the fact, the amount of the delinquent installment, interest and penalty as above provided, and a further notice that each of said parcels will be sold at public auction by said county treasurer in front of the court house of said county at a specified day and hour, to pay said installment with accrued interest and the penalty, together with its proportion of the total cost of publication of said notice of sale.

At the time and place stated in said notice, or such other time to which said sale may have been postponed, the county treasurer shall sell each parcel of land described in said notice to the highest bidder for gold coin of the United States unless prior thereto he shall have received payment in full of said delinquent installment, interest, penalty and cost of publication. If not completed on the first day the sale may be continued from day to day and over Sundays and legal holidays until completed. No license shall be required of the county treasurer for conducting such sale. No bid for any parcel shall be accepted which is less than the aggregate sum then due for said installment thereon, together with accrued interest, penalty and cost of publication. If no bid is made for any parcel at such delinquent sale which is equal to the total amount then due thereon, the county treasurer shall bid in and sell said parcel to the said Sacramento and San Joaquin drainage district for the amount of said delinquent installment or installments, together with accrued interest, penalty and cost of publication.

The county treasurer shall execute to each purchaser at such delinquent sale including said drainage district, a certificate of such sale, which certificate of sale shall be recorded by said purchaser in the county recorder's office of said county. Out of the proceeds of said sales the county treasurer shall transmit to the state treasurer the total amount then due on the property so sold as shown in said notice, and shall pay to the owner of said property any surplus remaining after such payment to the state treasurer. The county treasurer shall, when directed by the reclamation board,

postpone the said delinquent sale from time to time for not less than ten nor more than thirty days by a written notice posted at or near the place of sale, which written notice shall be substantially as follows: The sale of property for delinquent assessment under (name and number of assessment) of the Sacramento and San Joaquin drainage district, which was fixed for (time and place of sale) has been postponed to (time to which postponed) at the same place.

Any person interested in any tract of land sold at such delinquent sale may redeem the same at any time within one year after the date of sale by paying to the county treasurer for such purchaser a sum equal to the purchase price stated in the certificate of sale with interest thereon at the rate of twelve per cent per annum from the date of sale to the date of such redemption, together with the amount remaining due and unpaid of any installment upon any assessment on said land under the reclamation board act, with the penalty prescribed above for such other delinquencies. If no redemption shall be made within one year the reclamation board upon demand and the surrender of such certificate of purchase and the delivery of a certificate of the county treasurer that no redemption has been made within such year from date of sale, shall execute to the purchaser, his heirs or assigns, a deed of conveyance of the parcel of land described in such certificate, which deed shall convey to the grantee therein named the said land free and clear of all encumbrances except state, county and municipal taxes, assessments levied or assessed by statutory authority, and the unpaid balance of said or any assessment made by said drainage district, which said balance must be called in and collected in the same manner as other assessments, except that no parcel sold and conveyed to the Sacramento and San Joaquin drainage district shall thereafter, until redeemed or until sold and disposed of by the reclamation board, be subject to sale by the treasurer for subsequent installments of the said or any assessment as in this act provided.

Each deed by the reclamation board purporting to be executed under this act shall be prima facie evidence of the truth of the matters therein recited and of ownership by grantee of the lands therein described. All deeds herein required to be executed by the reclamation board may be executed by the president and secretary thereof on behalf of said board. Any parcel of land bid in and purchased by the Sacramento and San Joaquin drainage district at such delinquent sale shall be held in trust for the assessment under which the same was sold and may be sold and conveyed by said reclamation board or their successors in office at any time after the expiration of said redemption period of one year at public or private sale and with or without notice, to any person paying not less than the amount for which said parcel was bid in by said county treasurer at such delinquent sale for said drainage district, with interest thereon at the rate of twelve per cent per annum compounded yearly from the date of such delinquent sale, and also the amount of all subsequent installments, or other assessments then delinquent, with accrued interest and penalties thereon.

Payment for the land so purchased shall be made in gold coin of the United States, and the reclamation board shall execute a deed to such purchaser at such sale conveying said property, free of all encumbrances except state, county and other municipal taxes, assessments levied or assessed by statutory authority and the unpaid balance of all assessments of said drainage district, which balance must be called in and collected in the same manner as other assessments. If any lands so held by said drainage district remain unsold then the reclamation board shall sell all such lands so held by said drainage district at public auction to the highest bidder for cash, upon two weeks published notice substantially in the manner provided for notice upon above delinquent sales, and shall execute to the purchaser a conveyance, which deed shall convey title to the land as above prescribed. The proceeds of such sale shall be deposited with the state treasurer to the credit of the assessment under which the property became delinquent.

No county or public officer shall charge or receive any fee for any of the services required to be performed by him under the provisions of this act; but any reasonable and necessary expense actually incurred by any officer in carrying out any of the provisions of this act relating in any manner to the collection or enforcement of any assessment, shall be paid out of the funds of said drainage district applicable thereto.

Sec. 4. Section seventeen of said act, approved December 24, 1911, as amended, is hereby amended to read as follows:

Sec. 17. The reclamation board shall have power to promote the construction, completion, maintenance and repair of levees along all rivers, streams, overflow channels and basins and by-passes where, in the opinion of the board, such levees are insufficient or necessary for the purpose of the plans for flood control to be carried out by said board under this act. Whenever any such levee is in the opinion of said board insufficient or necessary for the purpose aforesaid, the reclamation board shall give notice, by publication in the manner hereinafter provided, that such levee is insufficient or necessary, and that it is the intention of said board to construct, repair or complete such levee and pay the cost thereof out of an assessment levied or to be levied and assessed upon the lands within said drainage district directly or indirectly benefited by such levee. Such notice shall be signed in the name of the reclamation board by its president and secretary and shall be published

once a week for three weeks in some newspaper published in the county wherein such levee or the greater part thereof is situated or is to be constructed, and the giving of such notice by publication shall be deemed completed on the twenty-first day after the first publication thereof. Any land owner or owners, and any reclamation district, drainage district, levee district, municipal corporation or other organization or association authorized by law to construct, repair or complete such levee shall have thirty days after completion of the giving of such notice by publication as aforesaid within which to apply to said reclamation board for leave to construct, repair or complete such levee, which application shall be in writing and signed by such applicants or their respective executors, administrators, guardians, trustees or duly constituted and authorized officers, and filed in the office of the reclamation board; and in case such application be filed within thirty days, as aforesaid, such applicants shall have sixty days after the filing of such application, or such further time as said reclamation board may by order entered in its minutes allow, within which to present to said reclamation board their plans and specifications for the construction, repair or completion of such levee, and obtain the approval by said board of such plans and specifications, and to commence the work. Each such application for leave to construct, repair or complete such levee shall designate the name and post office address of at least one and not more than three of the applicants signing the same as the person or persons to whom any notice or communication may be addressed by the reclamation board in the matter of such application. In case there shall be two or more such applications filed in the office of the reclamation board within said period of thirty days last above mentioned the reclamation board may determine which of such applications shall be recognized and may reject the others. Any such levee constructed or work done by such applicants as hereinbefore provided, pursuant to such notice from the reclamation board and according to plans and specifications approved by said board, shall be considered as constructed or done with the permission of said board within the meaning of section eighteen of this act. If such application shall not be filed in the office of said reclamation board for permission to do such work, as aforesaid, within thirty days after completion of the giving of such notice by publication, or if such applicants shall fail to present to said board and obtain its approval of such plans and specifications and to commence the work as aforesaid, within said period of sixty days or such further time as the board may allow, or shall fail to complete such work with reasonable diligence after the same shall have been so commenced, the reclamation board shall thereupon be and is hereby empowered to proceed with the construction, repair or completion of such work, and to pay the cost thereof by assessment upon the lands within said drainage district directly or indirectly benefited by such levee according to such benefits, as in this act provided, which assessment may be either an assessment specially levied and assessed for that purpose, or any assessment levied and assessed by said board and applicable to the payment of such work. Notwithstanding anything in this section provided, if in the opinion of the reclamation board a case of emergency exists requiring immediate action to preserve life or property or to protect or preserve the safety of any such levee along any river, stream, overflow channel or basin or by-pass, the reclamation board may cause the necessary work to be done immediately for the protection or preservation of such levee, without giving the notice hereinbefore provided, and may pay the cost thereof, and any damage that may have been done by the performance of such work, by an assessment to be levied and assessed as above provided, or out of the funds of any assessment available for that purpose under the provisions of this act.

Sec. 5. Section nineteen of said act, approved December 24, 1911, as amended, is hereby amended to read as follows:

Sec. 19. The sum of one hundred thousand dollars, in addition to the sums heretofore appropriated, is hereby appropriated for the use of the reclamation board, at least twenty thousand dollars of which shall be used by the board to pay the expenses of the state engineer in carrying out the directions of this act. The controller is hereby directed to draw warrants upon the state treasurer whenever drafts of the reclamation board are presented to him, and the treasurer is hereby directed to pay said controller's warrants. In the first assessment levied in said district the sum of fifty thousand dollars shall be levied, collected and paid to the state treasurer as reimbursement of one-half of the above appropriation.

The State of California shall not be liable directly or indirectly, for any obligation, claim, or liability of any kind or character, arising under, or by reason of this act, or any of the provisions thereof, in excess of the one hundred thousand dollars in and by this act appropriated.

No member of the reclamation board shall be held personally liable on any obligation or liability of any kind or character arising out of the claim that he has failed to carry out any obligation imposed upon said reclamation board by this act or any part thereof and the legislature hereby expressly declares that discretion is vested in said board and the members thereof to determine how and when the various provisions of this act and the projects herein contemplated may best be carried into effect.

Nothing contained in this act shall ever be construed now, or previously, imposing a mandatory duty on the reclamation board to incur obligations or proceed with work of any kind or character unless money to meet said obligations or pay for said work is collected and available for liquidation of said obligations and work."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 227?"

The roll was called, and Assembly amendments to Senate Bill No. 227 concurred in by the following vote:

AYES—Senators Allen, Boggs, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Senate Bill No. 227 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER EIGHTY-THREE.

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 83.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-THREE.

AMENDMENT NUMBER ONE.

On page 4, lines 40 and 41, strike out the words "Story road" and insert in lieu thereof the words "Stone avenue".

AMENDMENT NUMBER TWO.

On page 4, line 42, strike out the words "Story road" and insert in lieu thereof the words "Stone avenue".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 83?"

The roll was called, and Assembly amendments to Senate Bill No. 83 concurred in by the following vote:

AYES—Senators Allen, Boggs, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Senate Bill No. 83 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-NINE.

Senator Nelson asked for and was granted unanimous consent to take up Senate Bill No. 229.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; pro-

viding for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED TWENTY-NINE.

AMENDMENT NUMBER ONE.

On page 4, line 4, of the printed bill, after the comma insert the following: "which action or proceeding was commenced prior to the sixteenth day of June, 1913."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 229?"

The roll was called, and Assembly amendment to Senate Bill No. 229 was refused concurrence in by the following vote:

AYES—None.

NOES—Senators Allen, Boggs, Burnett, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

Senate Bill 229 ordered to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to the following: Senate Bill No. 346—An act to add a new section to the Political Code to be numbered 1608c, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 980. An act relating to boards and commissions holding under appointment of the Governor has had the same under consideration, and respectfully reports the same back, as the same has been withdrawn from the committee.

JOHNSON, M. B., Chairman.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 550 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations

hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 263 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1060 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1059—An act to appropriate money in the State treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1059 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 358 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rush moved to refer Assembly Bill No. 1243 to Senator Eden, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "also" strike out the words "two hundred and fifty" and insert in lieu thereof the words "five hundred".

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, after the word "thousand" strike out the word "five" and insert in lieu thereof the word "eight".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1243, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDEN, Special Committee.

Report read, and on motion of Senator Rush, adopted.

Bill ordered to print.

Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 202 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1298 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Rush, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 80 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Carr, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample Sharkey, Slater, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 85 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 85 was passed carried.

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 85 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1219 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 774 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 789 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 619—An act to amend section 1808 of the Code of Civil Procedure, relating to the entry of order appointing guardian.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 619 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, John-

son, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 620 passed by the following vote:

AYES—Senators Allen, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 816 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 361 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 622—An act to repeal section 927*n* of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 622 passed by the following vote:

AYES—Senators Allen, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest; certificate of service.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 629 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 645—An act to amend section 1313 of the Political Code, relating to charitable bequests.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 645 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Chamberlin, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments.

Assembly Bill No. 821 passed on file.

Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 984 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, Murphy, Osborne, Rominger, Sample, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1076 passed by the following vote:

AYES—Senators Allen, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Johnson, A. B., Johnson, M. B., Jones, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1245 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1248—An act to amend section 274a of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1248 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1249—An act to amend sections 852, 855, 857a, and 858, and to repeal section 857 of the Code of Civil Procedure, relating to justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1249 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1279 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1348 passed by the following vote:

AYES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917 as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Assembly Bill No. 1051 to Senator Rominger, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, strike out all of section (1) lines 30, 31, 32, 33, 34, 35 and insert the following:

"Nothing in this act contained shall apply to or effect the transportation of perishable or semiperishable agricultural, horticultural or viticultural products or empty carriers therefor between any of the following places, namely, farms, packing houses, canneries, driers or local assembling points during any part of the harvest or shipping period in any year. The words "local assembling points" as used in this paragraph mean platforms, sheds, mills, warehouse, cars or receiving stations in the vicinity of the place of production generally used by one or more growers or shippers."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1051, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and on motion of Senator Chamberlin, adopted.

Bill ordered to print.

Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 427 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 38—An act to amend section 953c of the Code of Civil Procedure, relating to record on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 38 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 618 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 623 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 624 passed by the following vote:

AYES—Senators Allen, Arbuckle, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 627 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment: commitment, form of.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 630 passed by the following vote:

AYES—Senators Allen, Arbuckle, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Osborne, Powers, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 632 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

JOSEPH A. BEEK, SECRETARY OF THE SENATE, AT THE DESK.

Assembly Bill No. 3—An act to add a new section to the Civil Code, to be numbered 3051a, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 3 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the Army, Navy or Marine Corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 779 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15a, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 781 passed by the following vote:

AYES—Senators Allen, Aronick, Boggs, Canapa, Carr, Chamberlin, Creighton, Crowley, Donnell, Eden, Gates, Dr. Gates, E. J. Gadsil, Gray, Handy, Harris, Hart, Hughes, Ingraham, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nason, Osborne, Remington, Rush, Sample, Sharkey, Slater, and West—32.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 787 passed by the following vote:

AYES—Senators Allen, Aronick, Boggs, Canapa, Carr, Chamberlin, Creighton, Crowley, Donnell, Eden, Gates, Dr. Gates, E. J. Gadsil, Gray, Handy, Harris, Hart, Hughes, Ingraham, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nason, Osborne, Powers, Remington, Sample, Sharkey, Slater, Swing, and West—33.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 640 passed by the following vote:

AYES—Senators Allen, Aronick, Boggs, Canapa, Carr, Creighton, Crowley, Donnell, Eden, Gates, Dr. Gates, E. J. Gadsil, Gray, Handy, Harris, Hart, Hughes, Ingraham, Johnson, A. B., Johnson, M. B., Lyon, M. D., Nelson, Murphy, Powers, Remington, Rush, Sample, Sharkey, Slater, Swing, and West—33.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs,

damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1151 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1341 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

Assembly Bill No. 318 passed on file.

Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 422 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Assembly Bill No. 13 passed on file.

Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363 and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1365 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 611 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1329 was refused passage by the following vote:

AYES—Senators Arbuckle, Carr, Chamberlin, Gates, E. J., Gray, Ingram, Johnson, M. B., Lyon, Rominger, Sample, Sharkey, Slater, and Swing—13.

NOES—Senators Allen, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsfil, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Lewis, McDonald, Nelson, Osborne, Rush, and West—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Eden gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill 1329 was refused passage.

Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 596 passed by the following vote:

AYES—Senators Allen, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsfil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 139—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 139 passed by the following vote:

AYES—Senators Allen, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Gates, Dr., Gray, Handy, Hughes, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Sample, Slater, Swing, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 711—An act to add a new section to the Penal Code, to be numbered 207a, relating to punishment for kidnaping when committed by the use of an automobile.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 711 passed by the following vote:

AYES—Senators Allen, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Handy, Hughes, Inman, Johnson, A. B. Johnson, M. B. Jones, Lyon, Murphy, Nelson, Osborne, Sample, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1307 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Gates, Dr. Handy, Hughes, Inman, Johnson, A. B. Johnson, M. B. Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Sample, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 1343 to Senator Murphy as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill as amended in the Senate May 9, 1923, strike out the words "a majority" in said line, and insert in lieu thereof the words "one-fourth".

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill as amended in the Senate May 9, 1923, strike out the word "twenty" in said line 5, and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER THREE.

On page 2, line 14, of the printed bill as amended in the Senate May 9, 1923, strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill as amended in the Senate May 9, 1923, strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill as amended in the Senate May 9, 1923, strike out lines 44 to 46, inclusive, and insert in lieu thereof the following: "aries. After making and entering such an order defining and establishing the boundaries of the proposed district, said board of supervisors shall forthwith call and give notice of an election to be held in such proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this act. Said notice shall be published once a week for at least three weeks previous to such election, shall describe the boundaries so established, shall designate the name for the proposed district, and shall state that at said election the voters possessing the qualifications

prescribed by this act shall cast ballots for or against said proposed organization and shall select a board of directors to serve in case said organization shall be effected.

SEC. 5. At such election there shall be elected a board of five directors. The board of supervisors shall designate the polling place for such election and appoint from the persons eligible to the office of district director one inspector and two judges of election, who shall constitute a board of election for such district election. For the convenience of voters the board of supervisors may divide the proposed district into election precincts and establish the boundaries of such precincts, and in such case shall appoint a board of election as aforesaid for each precinct, and designate a polling place therein. The said election shall be held and the result thereof determined and declared as nearly as may be in accordance with the provisions of this act relating to general district elections; *provided*, that the returns of said election shall be forwarded to said board of supervisors, which shall meet on the second Monday following said election and canvass said returns and declare the results of said election. If by such canvass it appears that a majority of all the votes cast at such election are in favor of the organization of the district, said board of supervisors shall by an order entered on its minutes, declare the territory duly organized as a highway district under the name theretofore designated, and shall declare the five persons receiving the highest number of votes at said election to be duly elected as directors.

Said board of supervisors shall then cause a copy of such order duly certified to be immediately filed for record in the office of the county recorder. From and after such filing, the organization of such district shall be complete.

The officers elected at the election hereinbefore provided for shall immediately enter upon their duties as such upon qualifying in the manner for such officers herein provided. Said officers shall hold office respectively until the date of the regular monthly meeting of the board of directors of the district in the month next following the month in which the next general district election is held. In all cases district directors shall continue to serve and hold office until their successors have qualified."

AMENDMENT NUMBER SIX.

On page 2, line 47, of the printed bill as amended in the Senate May 9, 1923, strike out the figure "5" and insert in lieu thereof the figure "6".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, as amended, strike out lines 20 to 50, inclusive, and insert in lieu thereof the following:

"SEC. 7. Within twenty days after he has notice of his election or appointment, each officer shall take and subscribe an oath in substantially the form prescribed by law for the official oaths of county officers and file the same in the office of the district and execute and file the official bond, if a bond is required. Each director shall execute an official bond in the sum of five thousand (\$5000) dollars to be approved by a judge of the superior court. The other officers and employees of the district, if required by the board, shall execute official bonds to be approved by the board of directors in such amounts as the board of directors may prescribe. All of such official bonds shall be in the form prescribed by law for official bonds of county officers, and when approved as herein provided, shall be filed with the secretary, who shall immediately file them for record in the office of the recorder of the county in which the district or the greater portion thereof is situated. The premiums on said bonds may be paid by the district."

AMENDMENT NUMBER EIGHT.

On page 3, line 51, of the printed bill as amended, strike out the figure "7" and insert in lieu thereof the following: "7a".

AMENDMENT NUMBER NINE.

On page 4, line 8, of the printed bill as amended, strike out the word "Said"; also strike out line 9 and the words "the district;" in line 10, and insert in lieu thereof the following: "At any time not less than thirty days before any election, the board of directors may divide the district into a convenient number of election precincts, or may change the number or the boundaries of any election precincts theretofore established, designating a polling place in each precinct;"

AMENDMENT NUMBER TEN.

On page 4, line 37, of the printed bill as amended, strike out the words "If any parcel of land is assessed on any"; also strike out all of lines 38 to 42 inclusive, and the words "ment roll" in line 43.

AMENDMENT NUMBER ELEVEN.

On page 5, in lines 5 and 6, of the printed bill as amended May 9, 1923, strike out the words "not legally qualified to vote".

AMENDMENT NUMBER TWELVE.

On page 5, line 43, of the printed bill as amended in the Senate May 9, 1923, immediately preceding the word "Not" in said line, insert the following: "Sec. 7b."

AMENDMENT NUMBER THIRTEEN.

On page 6, between lines 2 and 3 of the printed bill as amended in the Senate May 9, 1923, insert the following: "The ballots used at any election held under the provisions of this act shall be provided by the board of directors of the district, or by the board of supervisors, if the election is called by the board of supervisors. One of the judges of election shall deliver to each of the qualified voters one of the ballots so provided. The ballots shall have printed on them the names of all candidates whose names have been filed as provided in this act, with a voting square opposite each name. The names shall be arranged in groups, alphabetically, under the designation of the office for which each person named is a candidate. Each voter shall stamp a cross, with a rubber stamp to be provided by the board of directors, in the square opposite the name of each candidate he wishes to vote for. Each ballot cast shall contain the name of the person, and of the proxy, if any, casting the ballot with the number of votes cast by him. A list of the ballots cast shall be made by the board of election, showing the name of each voter, and if the ballot be cast by proxy the name of the person casting it and the number of votes cast by each voter."

AMENDMENT NUMBER FOURTEEN.

On page 6 of the printed bill as amended in the Senate May 9, 1923, strike out lines 48 and 49, and insert in lieu thereof the following: "be of such width and type as the board of supervisors of the county in which the district is situated may approve. The board of supervisors".

AMENDMENT NUMBER FIFTEEN.

On page 7 of the printed bill as amended in the Senate May 9, 1923, strike out lines 37 to 41 inclusive, and insert in lieu thereof the following:

"SEC. 12. The board shall".

AMENDMENT NUMBER SIXTEEN.

On page 7, lines 49 and 50, of the printed bill as amended in the Senate May 9, 1923, strike out the word "conclusive", and insert in lieu thereof the following: "prima facie".

AMENDMENT NUMBER SEVENTEEN.

On page 8, line 16, of the printed bill as amended in the Senate May 9, 1923, after the word "semiannually" in said line, insert a comma and the following: "on the first day of January and the first day of July".

AMENDMENT NUMBER EIGHTEEN.

On page 12, line 7, of the printed bill as amended in the Senate May 9, 1923, strike out the word "percentage" and insert in lieu thereof the word "penalty".

AMENDMENT NUMBER NINETEEN.

On page 12, line 41, of the printed bill as amended in the Senate May 9, 1923, strike out the semicolon and the word "and"; also strike out lines 42 to 46 inclusive, and insert in lieu thereof a period.

AMENDMENT NUMBER TWENTY.

On page 13, line 51, of the printed bill as amended in the Senate May 9, 1923, strike out the words "one year" and insert in lieu thereof the words "two years".

AMENDMENT NUMBER TWENTY-ONE.

On page 14, line 1, of the printed bill as amended in the Senate May 9, 1923, strike out the period and insert in lieu thereof a comma and the following: "by paying to the collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of sale."

AMENDMENT NUMBER TWENTY-TWO.

On page 15, line 44, of the printed bill as amended in the Senate May 9, 1923, after the comma in said line, following the word "supervisors", insert the following: "the clerk of the board of supervisors".

AMENDMENT NUMBER TWENTY-THREE.

On page 15, line 47, of the printed bill as amended in the Senate May 9, 1923, strike out the period and insert in lieu thereof a comma and the following: "and they shall respectively have and exercise the powers, duties and jurisdiction herein converted or imposed upon the board of directors, secretary, assessor, collector and treasurer respectively of the district."

AMENDMENT NUMBER TWENTY-FOUR.

On page 16, line 6, of the printed bill, strike out the words "four weeks" and in lieu thereof insert the following: "two successive months".

AMENDMENT NUMBER TWENTY-FIVE.

On page 16 of the printed bill, strike out lines 11 to 14, both inclusive, and in lieu thereof insert the following: "invalidity of the district. When the summons has been served, as provided herein, and the time for answering has expired, the court shall proceed to hear the case as in other cases and to that end must not enter judgment by default but must require proof of the facts alleged in the complaint and other pleadings. Said proceeding is hereby declared to be".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1343, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Slater, adopted.

Bill ordered to print.

Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debts or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Dennett moved to refer Assembly Bill No. 320 to Senator Harris as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill as amended in the Senate May 15, 1923, strike out the word "at" in line 9, all of line 10 and all of line 11 preceding the word "The" and in lieu thereof insert the following: "from the date of issuance of said bonds, to the date of maturity thereof at a rate to be determined by the state highway finance board, but in no case exceeding five per cent per annum."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 320, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARRIS, Special Committee.

Report read, and on motion of Senator Dennett, adopted.

Bill ordered to print.

Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 497 to Senator Swing as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 20, of the printed bill, after the word "schools" strike out the remainder of the line and all of lines 21, 22, 23 and everything in line 24 down to and including the word "county".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 497, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Sharkey, adopted.
Bill ordered to print.

Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 515 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same.

Assembly Bill No. 569 passed on file.

Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act, to be numbered 40a, relating to the refunding and correction of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 573 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circum-

stances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds or irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 36 thereof, relating to consent of commission for expenditure of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 580 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Creighton, Dennett, Eden, Gates, Dr., Handy, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 570—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 570 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Gates, Dr., Handy, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 571 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Hughes, Hurley, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27a, relating to the appointment of deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 572 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Handy, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Slater, Swing, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 10.

Relating to protection of forests from fire.

WHEREAS, The government of the United States by legislative enactment has withdrawn from public entry and settlement 156,666,045 acres of land in the states of California, Oregon, Washington, Idaho, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah and Nevada, for the purpose of creating national forests; and

WHEREAS, There is now standing on this land nearly 500,000,000,000 feet board measure of merchantable timber; and

WHEREAS, Nineteen million one hundred seventy-two thousand nine hundred eighty-two acres of our national forests are within the confines of the State of California, upon which acreage it is estimated by Honorable William B. Greeley, United States Forester, that there is now standing over 106,328,500,000 board feet of timber; and

WHEREAS, Over 5,000,000,000 board feet of merchantable timber within our national forests has been destroyed by forest fires during the past five years; and

WHEREAS, Over eighteen million acres of national forest lands were by forest fires burned over during the summers of 1918 and 1919; and

WHEREAS, In many instances these national forest fires have spread over large tracts of privately owned timber destroying large tracts of virgin forests and thereby causing tremendous losses to the owners of the land; and

WHEREAS, The government of the United States has withdrawn this land from entry and pays no taxes on same, leaving the whole burden of taxation, including all pioneer work, upon the people of the several counties of this State, some of which counties are as high as 84 per cent national forest; and

WHEREAS, The timber in our national forests is worth at \$3 per thousand stumpage approximately \$1,500,000,000 which pays no tax whatever, while many of our counties are bonded to the constitutional limit for highway purposes, much of the money having been used for the construction of highways adjacent to or through national forests; and

WHEREAS, There is no way known to man whereby these forests may be saved from destruction by fire except in the construction of permanent commercial highways through and adjacent to our national forests so that the ripe timber may be moved to market and so that fire fighters may be taken quickly to the blaze after it has been discovered; now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Congress of the United States be and the same is hereby memorialized, to provide by appropriation of funds from our national treasury the necessary funds with which to construct a system of highways through and adjacent to our national forests commensurate with their needs of protection against destruction by fire; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to transmit a copy of this memorial to the President of the United States Senate, the Speaker of the House of Representatives of the United States of America, to each United States Senator and Representative in Congress from California; to the Secretary of Agriculture and to Hon. William B. Greeley, Chief Forester of the United States Forest Service.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 10 adopted by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gray, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Slater, Swing, and West—22.

NOES—None.

Assembly Joint Resolution No. 10 ordered transmitted to the Assembly.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Assembly Bill No. 74 passed on file.

Assembly Bill No. 521—An act to amend the title of chapter XI of title XIII of part 1 of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 521 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 171—An act to amend section 663a of the Code of Civil Procedure, relating to notice of intention to vacate judgment and the granting of a new trial.

Assembly Bill No. 171 passed on file.

Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure, relating to decision upon trial by court.

Assembly Bill No. 166 passed on file.

Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure, relating to special decisions of the court.

Assembly Bill No. 167 passed on file.

Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure, relating to entry of judgment.

Assembly Bill No. 168 passed on file.

Assembly Bill No. 169—An act to amend section 634 of the Code of Civil Procedure, relating to waiver of findings of fact.

Assembly Bill No. 169 passed on file.

Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure, relating to vacation of judgments.

Assembly Bill No. 170 passed on file.

Assembly Bill No. 420—An act to add a new section to be numbered *Sg.* to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended, relating to reports to be made by physicians to police authorities.

Assembly Bill No. 420 passed on file.

Assembly Bill No. 129—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act

entitled, "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5a and 5b, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 129 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Sample, Slater, Swing, and West—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

Assembly Bill No. 404 passed on file.

Assembly Bill No. 405—An act to amend sections 1193 and 1227 of the Penal Code, relating to judgments against persons convicted of the commission of crime.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 405 passed by the following vote:

AYES—Senators Allen, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 502 passed by the following vote:

AYES—Senators Allen, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones,

Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257a, relating to the prohibiting of publication of indebtedness.

Assembly Bill No. 1014 passed on file.

Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1368 passed by the following vote:

AYES—Senators Allen, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other persons governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein.

Assembly Bill No. 1361 passed on file.

Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1337 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act," creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial Counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board; authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 668 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr. Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 507 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 323 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon Avenue," within the corporate city limits of East San Diego, from Boundary Street to Euclid Avenue, in San Diego County, California, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1373 passed by the following vote:

AYES—Senators Allen, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section I of article XIII of the constitution, relating to tax exemption.

Assembly Constitutional Amendment No. 52 passed on file.

Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing exhibitions.

Assembly Constitutional Amendment No. 39 passed on file.

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 13 of article XIII of the constitution relating to the exemption of State and municipal bonds from taxation.

Assembly Constitutional Amendment No. 49 passed on file.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax.

Assembly Constitutional Amendment No. 47 passed on file.

Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation.

COMMITTEE AMENDMENT.

During the reading of the constitutional amendment, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed amendment, omit the letter "s" in the word "years".

Amendment adopted.

Assembly Constitutional Amendment No. 57 ordered to print, and on file.

Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto, numbered 2a, 2b, 2c, 4a, 4b, 5a, 5b, 5c, 5d, 5e, 8a, 8b, 8c, 9a, 10a, 10b, 10c, 11a, 11b, 11c and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and col-

lection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 575 passed by the following vote:

AYES—Senators Allen, Carr, Creighton, Dennett, Eden, Gates, Dr., Handy, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and Swing—24.

NOES—Senators Burnett, Inman, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 133—An act to amend section 1142 of the Political Code, relating to appointment of election officers.

Assembly Bill No. 133 passed on file.

Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests.

Assembly Bill No. 251 passed on file.

Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Assembly Bill No. 91 passed on file.

Assembly Bill No. 418—An act to repeal section 3897a of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes.

Assembly Bill No. 418 passed on file.

Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 1136 to Senator Rush, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of lines 26 to 30, inclusive, and insert in lieu thereof the following: "of any municipality, and shall have power to pay any special assessments based upon benefits, for public or local improvements, upon any real property owned or controlled by them, levied in proceedings taken under any of the general laws of the state, or under the provisions of the charter of any municipality, whenever such real property is situated within special assessment districts described in the ordinance of intention in such proceedings, and to appropriate money to pay such special assessments."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1136, with instructions to amend, respectfully reports the same back, amended as per instructions.

LEWIS, Special Committee.

Report read, and on motion of Senator Lyon, adopted.
Bill ordered to print.

Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*et*, relating to the salary of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 11 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Creighton, Dennett, Eden, Gates, Dr., Handy, Hughes, Inman, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff McElvaine against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 41 passed by the following vote:

AYES—Senators Allen, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hughes, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the Laws of 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 134 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 178 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B.,

Jones, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 183 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 214 passed by the following vote:

AYES—Senators Allen, Burnett, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 241 passed by the following vote:

AYES—Senators Allen, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 342 passed by the following vote:

AYES—Senators Allen, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 343 passed by the following vote:

AYES—Senators Allen, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

SENATOR SAMPLE IN THE CHAIR.

At five o'clock and thirty minutes p.m., Senator Sample of the fortieth district was called to the chair.

Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 344 passed by the following vote:

AYES—Senators Allen, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 456 passed by the following vote:

AYES—Senators Allen, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 511 passed by the following vote:

AYES—Senators Allen, Boggs, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel Mountains and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 512 passed by the following vote:

AYES—Senators Allen, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 652 passed by the following vote:

AYES—Senators Allen, Boggs, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 740 passed by the following vote:

AYES—Senators Allen, Boggs, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 741 passed by the following vote:

AYES—Senators Allen, Boggs, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, Slater, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1228—An act to reappropriate the sum of \$32,200 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 901 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by co-owners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1330 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 24.

Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California.

Resolved by the Assembly, the Senate concurring. That leave of absence from the State of California for a longer period than sixty days, during their term of office, is hereby granted to his excellency, Friend Wm. Richardson, Governor of the State of California; to C. C. Young, Lieutenant Governor of the State of California; and to the following members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California:

Senators Newton M. Allen, F. A. Arbuckle, Frank S. Boggs, Arthur H. Breed, Lester G. Burnett, Victor J. Canépa, Frank M. Carr, Harry A. Chamberlin, John Creighton, John J. Crowley, Lewis L. Dennett, Walter Eden, Dr. W. F. Gates, Egbert J. Gates, Charles W. Godsil, P. J. Gray, Fred C. Handy, M. B. Harris, Dwight H. Hart, Ralph L. Hughes, Edgar S. Hurley, Thomas Ingram, J. M. Inman, A. Burlingame Johnson, M. B. Johnson, Herbert C. Jones, Charles H. V. Lewis, Charles W. Lyon, Walter A. McDonald, Daniel C. Murphy, H. C. Nelson, Dr. A. E. Osborne, F. J. Powers, Joseph A. Rominger, Benjamin F. Rush, Ed. P. Sample, Will R. Sharkey, Herbert W. Slater, Ralph E. Swing, T. C. West.

Assemblymen Frank W. Anderson, John B. Badaracco, William E. Badham, C. C. Baker, Edwin Baker, C. D. Ball, Van Bernard, Elmer P. Bromley, Esto B. Broughton, Joseph F. Burns, Thomas M. Carlson, Henry E. Carter, E. H. Christian, Geo. A. Clarke, Chas. W. Cleary, George C. Cleveland, P. Connolly, Frank L. Coombs, B. S. Crittenden, J. Crofer, George H. Davis, Charles B. Dawson, Geo. A. Dean, Emmett I. Donohue, Grace S. Dorris, Earnest Dozier, Walter H. Duval, Frank L. Eksward, Otto J. Emme, Louis F. Erb, Roy Fellom, Chas. A. Foster, Chris B. Fox, Lucien Fulwider, Sidney T. Graves, Fred C. Hawes, S. L. Heisinger, Wm. B. Hornblower, Frank Johnson, John W. Johnston, Isaac Jones, Chester M. Kline, R. M. Lyman, Jr., Harry Lyons, A. J. Mathews, Herbert McDowell, Alex McMillan, Robt. B. McPherson, Frank F. Merriam, Miss Eleanor Miller, Allen G. Mitchell, Thomas A. Mitchell, Fred J. Moore, Clarence W. Morris, Harry F. Morrison, Edwin A. Mueller, Fred B. Noyes, Joseph L. Pedrotti, Hugh R. Pomeroy, J. J. Prendergast, Chas. F. Reindollar, Frederick M. Roberts, Walter J. Rock, Albert A. Rosenshine, Mrs. Anna L. Saylor, Walter J. Schmidt, Wm. Seward Scott, Edward J. Smith, Bert Snyder, C. C. Spalding, Homer R. Spence, F. G. Stevenot, Edgar W. Stow, Frank C. Weller, Percy G. West, P. A. Whitacre, David C. Williams, Mrs. Cora Woodbridge, T. M. Wright.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 24 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—31.

NOES—None.

Assembly Concurrent Resolution No. 24 ordered transmitted to the Assembly.

Assembly Bill No. 106—An act relating to the acquisition by the state of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation, or condemnation proceedings, or proceedings

in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for the naming of such parks; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 106 passed by the following vote:

AYES—Senators Allen, Boggs, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations.

Assembly Bill No. 174 passed on file.

Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 615 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 27.

Relative to federal taxes.

WHEREAS, The Federal Revenue Act of 1921 provides that "from and after January 1, 1922, the taxes on telegraph and telephone messages is as follows: (a) On each telegraph, telephone, cable or radio dispatch message or conversation, originating in the United States, of more than 14 cents, and not more than 50 cents, a tax of 5 cents. If the charge is more than 50 cents, tax 10 cents; only one payment of such tax is required"; and

WHEREAS, The federal tax on railroad fares has been repealed; and

WHEREAS, Such important matters as communication by telephone and telegraph should not be hampered or taxed except under necessity of national financial stress; and

WHEREAS, The war conditions are over and the nation, again prosperous, is dependent more than ever upon unhampered and unburdened means of communication; now, therefore, be it

Resolved by the Assembly and the Senate, jointly, That it is the consensus of opinion of this Legislature that Congress should repeal the revenue statutes so far as the same relate to taxes on such messages; and be it further

Resolved, That our Senators and Representatives in Congress from the State of California be requested to use all honorable means to secure the action desired in this matter for the purposes aforesaid; and be it further

Resolved, That a copy of these resolutions be forwarded by the Chief Clerk of the Assembly to the President and Vice President of the United States, to the members of the cabinet and to each of the Senators and Representatives in Congress from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 27 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Assembly Joint Resolution No. 27 ordered transmitted to the Assembly.

Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education.

Assembly Bill No. 746 passed on file.

Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 236 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 351 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 53 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 265 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At six o'clock p. m., further proceedings under the call of the Senate were dispensed with, on motion of Senator McDonald.

The Secretary was directed to call the roll, on passage of the bill, of the Senators who had not answered to their names.

The roll was called, and Assembly amendments to Senate Bill No. 506 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Senate Bill No. 506 ordered to enrollment.

Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 551 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict

labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1306 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Rominger, Rush, Sample, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 979 to Senator Murphy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate May 9, 1923, strike out lines 1 to 6, both inclusive, and in lieu thereof insert the following:

"SECTION 1. Lands situated in one or more counties, consisting of contiguous parcels, and not contained in a road district theretofore formed under the provisions of this act may be formed into a road district, and when so formed shall be known and designated by the name and style of ----- road district (using the name of the district), and".

AMENDMENT NUMBER TWO.

On page 1, lines 11 and 12, of the printed bill, as amended in the Senate May 9, 1923, strike out the words "wherein the district is proposed to be formed" and insert in lieu thereof the following: "in which the proposed district or the greater portion thereof is situated.".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended in the Senate May 9, 1923, strike out lines 20 and 21 and in lieu thereof insert the following: "of said road district.".

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, as amended in the Senate May 9, 1923, strike out the word "twenty" and in lieu thereof insert the word "thirty".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended in the Senate May 9, 1923, strike out lines 15 to 20, both inclusive, and in lieu thereof insert the following: "least once a week for four consecutive weeks in a newspaper of general circulation published in each county in which any portion of the proposed district is situated."

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, as amended in the Senate May 9, 1923, strike out lines 32 and 33, and the word "seat" in line 34, and in lieu thereof insert the following: "a week for four consecutive weeks in a newspaper of general circulation published in each county in which any portion of the proposed district is situated."

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended in the Senate May 9, 1923, strike out the semicolon in line 43, also strike out lines 44 to 46, both inclusive, and in lieu thereof insert a period.

AMENDMENT NUMBER EIGHT.

On page 3, line 9, of the printed bill, as amended in the Senate May 9, 1923, strike out the words "some newspaper pub-", also strike out lines 10 and 11 on said page, and insert in lieu thereof the following: "a newspaper of general circulation published in each county in which any portion of the proposed district is situated."

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, as amended in the Senate May 9, 1923, between lines 42 and 43 insert the following:

"At any election held under the provisions of this act the inspector, as chairman of the election board, may appoint judges if, during the progress of the election, any judge ceases to act. Any member of the board of election may administer and certify oaths required to be administered during the progress of an election. Before opening the polls each member of the board must take and subscribe an oath faithfully to perform the duties imposed upon him by law."

AMENDMENT NUMBER TEN.

On page 3, line 44, of the printed bill, as amended in the Senate May 9, 1923, strike out the words "of said county".

AMENDMENT NUMBER ELEVEN.

On page 4, line 1, of the printed bill, as amended in the Senate May 9, 1923, strike out the word "conclusive" and in lieu thereof insert the words "prima facie".

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, as amended in the Senate May 9, 1923, strike out the words "designate at" in line 6, also strike out lines 7 to 19, both inclusive, and insert in lieu thereof the following: "so divide into election precincts the territory included in the proposed district that the votes cast in the unincorporated territory and in the several cities or portions of cities respectively may be separately computed, and shall make its order that the district has been established if the majority of the votes cast in the unincorporated territory and in each of the cities or portions of cities included in the proposed district, respectively, be in favor of the formation of the district, and not otherwise."

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, strike out line 25 and insert in lieu thereof the following: "directors, an assessor and a secretary. The term of office of the assessor and each director".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 32, of the printed bill, strike out the word "directors" and insert in lieu thereof the following: "elective district officers".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 37, of the printed bill, after the word "district" insert the following: "or the greater portion thereof".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 38, of the printed bill, strike out the word "Each" and insert in lieu thereof the following:

"The assessor and each".

AMENDMENT NUMBER SEVENTEEN.

On page 4, lines 41 and 42, of the printed bill, strike out the words "the judge of the superior court of the county in which the district is situated" and insert in lieu thereof the following: "a judge of the superior court of the county in which the district or the greater portion thereof is situated. The assessor shall receive such salary as the said board may determine. At the election upon organization of the district, an assessor shall be chosen as well as five members of the board of directors. The assessor so first chosen shall hold office until the next general district election; thereafter his term shall be four years. Any vacancy in the office of assessor shall

be filled by appointment by the district board of directors. The assessor shall make and file an official bond in not less than five thousand dollars to be fixed and approved by the board of directors."

AMENDMENT NUMBER EIGHTEEN.

On page 5 of the printed bill, strike out lines 31 and 32, also the words "appointed place" in line 33 on said page and insert in lieu thereof the following: "Board shall select and maintain an office for the district within the district and shall hold regular monthly meetings thereat, at such time as the board by resolution shall prescribe, and shall hold thereat such other meetings as, from time to time, may be deemed advisable, provided that no meeting except regular meetings shall be valid, unless prior thereto each director shall have filed with the secretary his written consent to the same, or unless the president or three members of the board shall have called the same by giving each of said directors five days' written notice thereof, or unless said directors shall have authorized the same by resolution adopted at a former meeting and shall have caused five days' written notice thereto to have been given by the secretary to each director not joining therein."

AMENDMENT NUMBER NINETEEN.

On page 5 of the printed bill, strike out the words "is a sufficient number to" in line 37, also strike out lines 38 to 40, inclusive, and insert in lieu thereof the following: "shall constitute a quorum for the transaction of business, but a less number than a quorum may adjourn from day to day. The vote of a majority of the board shall be necessary to determine any proposition or resolution presented except a motion to adjourn or to adjourn to a time stated."

AMENDMENT NUMBER TWENTY.

On page 6 of the printed bill, strike out lines 6 to 11, inclusive, and insert in lieu thereof the following: "the district; to employ and fix the compensation and duties of all necessary officers and employees; and generally to do and perform any and all acts necessary or proper to the complete exercise of any of its powers."

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 7, of the printed bill, strike out the words "some newspaper published within the" and also strike out lines 8 to 10, inclusive, and insert in lieu thereof the following: "a newspaper published in each county in which the district or any part thereof is situated."

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 23, of the printed bill, strike out the word "conclusive" and insert in lieu thereof the following: "prima facie".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 39, of the printed bill, after the word "district" insert the following: "or the greater portion thereof".

AMENDMENT NUMBER TWENTY-FOUR.

On page 9 of the printed bill, between lines 41 and 42, insert the following: "In its said order calling the said election, the board of directors of the district shall fix and designate the number of bonds, the denominations thereof, the maturities thereof and the rate of interest."

AMENDMENT NUMBER TWENTY-FIVE.

On page 8 of the printed bill, strike out lines 5 to 52, inclusive, also strike out pages 9 to 11, inclusive, and lines 1 to 27 on page 12.

AMENDMENT NUMBER TWENTY-SIX.

On page 12, line 28, of the printed bill, strike out the figure "17" and insert in lieu thereof the figure "16".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 13, line 3, of the printed bill, after the period insert the following: "If the district is situated in more than one county the assessment book shall be prepared with a separate part in a separate volume for the lands of each county."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 12, line 33, of the printed bill, strike out the word "secretary" and insert in lieu thereof the word "assessor".

AMENDMENT NUMBER TWENTY-NINE.

On page 13, line 14, of the printed bill, strike out the figure "17a" and insert in lieu thereof the figure "17".

AMENDMENT NUMBER THIRTY

On page 13, lines 14 and 15, of the printed bill, strike out the word "secretary" and insert in lieu thereof the word "assessor".

AMENDMENT NUMBER THIRTY-ONE.

On page 13, line 24, of the printed bill, strike out the figure "17b" and insert in lieu thereof the figure "17a".

AMENDMENT NUMBER THIRTY-TWO.

On page 13, line 25, of the printed bill, strike out the word "secretary" and insert in lieu thereof the word "assessor".

AMENDMENT NUMBER THIRTY-THREE.

On page 13, line 26, of the printed bill, immediately preceding the word "give" in said line, insert the following: "deliver it to the secretary of the board who must immediately".

AMENDMENT NUMBER THIRTY-FOUR

On page 13, line 34, of the printed bill, strike out the figure "17c" and insert in lieu thereof the figure "17b".

AMENDMENT NUMBER THIRTY-FIVE.

On page 14 of the printed bill, strike out the comma at the end of line 20, also strike out the words "and the" in line 21, and insert in lieu thereof a period and the following: "If the district is situated in more than one county the secretary must deliver to the tax collector of each county in which any part of the district is situated that separate part of the said assessment book upon which is listed the assessment upon the lands of the district situated in said county. The".

AMENDMENT NUMBER THIRTY-SIX.

On page 14, line 22, of the printed bill, strike out the words "the county in which the district is" and insert in lieu thereof the following: "each county in which any lands in the district are".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 14 of the printed bill, strike out lines 40, 41 and 42 and insert in lieu thereof the following:

"The tax collector of each county in which is situated any land in any road district wherein any assessment".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 14, line 44, of the printed bill, strike out the words "or installments".

AMENDMENT NUMBER THIRTY-NINE.

On page 15, line 26, of the printed bill, after the period insert the following: "Sec. 21."

AMENDMENT NUMBER FORTY.

On page 15, of the printed bill, strike out the words "and the" in line 40, and also strike out line 41 and the words "remaining unpaid" in line 42.

AMENDMENT NUMBER FORTY-ONE.

On page 16, of the printed bill, strike out lines 11 to 33 inclusive and insert in lieu thereof the following:

"Sec. 22. If any assessment shall be adjudged invalid the board may levy another assessment for the same purpose or purposes."

AMENDMENT NUMBER FORTY-TWO.

On page 16, line 45, of the printed bill, after the comma insert the word "and".

AMENDMENT NUMBER FORTY-THREE.

On page 16, line 46, of the printed bill, after the period insert the following: "Bonds and interest coupons when due may be paid by the treasurer, upon presentation, out of the bond fund without district warrants."

AMENDMENT NUMBER FORTY-FOUR.

On page 17, line 14, of the printed bill, strike out the words "within the district if such"; also strike out lines 15 and 16, and the words "is located" and insert in lieu thereof the following: "in each county in which any of the lands in a district are situated."

AMENDMENT NUMBER FORTY-FIVE.

On page 18, lines 11 and 12, of the printed bill, strike out the words "over and transfer to the general fund of the district" and insert in lieu thereof the following: "apart and use for road and highway purposes in the district".

AMENDMENT NUMBER FORTY-SIX.

On page 18, line 19, of the printed bill, strike out the word "district" and insert in lieu thereof the following: "road or portion thereof".

AMENDMENT NUMBER FORTY-SEVEN.

On page 18, line 20, of the printed bill, after the word "county" insert the following: "in which such property is situated".

AMENDMENT NUMBER FORTY-EIGHT.

On page 18, line 49, of the printed bill, after the word "county" insert the following: "in which the district or the greater portion thereof is situated".

AMENDMENT NUMBER FORTY-NINE.

On page 18, line 50, of the printed bill, after the word "district" insert the following: "and the assessor of such county shall constitute ex-officio the assessor of such district for such purposes."

AMENDMENT NUMBER FIFTY.

On page 19, line 6, of the printed bill, strike out the word "five" and insert in lieu thereof the word "twenty-five".

AMENDMENT NUMBER FIFTY-ONE.

On page 19, line 7, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "for the purpose of paying the expenses incurred in forming the district and the expenses of making necessary surveys, preparing maps, cross section and profile, specifications for construction and estimates of cost, and for the general expenses of the district".

AMENDMENT NUMBER FIFTY-TWO.

On page 19, line 8, of the printed bill, strike out the word "secretary" and insert in lieu thereof the word "assessor".

AMENDMENT NUMBER FIFTY-THREE.

On page 19, line 12, of the printed bill, strike out the word "secretary" and insert in lieu thereof the word "assessor".

AMENDMENT NUMBER FIFTY-FOUR.

On page 19 of the printed bill, between lines 32 and 33, insert the following: "Said board shall then levy an assessment upon the lands within the district at a uniform rate not exceeding twenty-five cents upon each one hundred dollars valuation of the lands in the district for all or any of the purposes hereinabove expressed."

AMENDMENT NUMBER FIFTY-FIVE.

On page 20, line 9, of the printed bill, strike out the words "the amount of such delin-" in said line, and also strike out lines 10 to 24, inclusive, and insert in lieu thereof the following: "the land assessed is advertised for sale by the secretary. Not less than forty nor more than sixty days from and after the date upon which said assessments have become delinquent, the secretary".

AMENDMENT NUMBER FIFTY-SIX.

On page 20 of the printed bill, between lines 30 and 31, insert the following paragraph:

"The tax collector of each county in which any of the lands contained in the district are located, during the time for the collection of the taxes of the district, may require the board of directors to provide and pay for a deputy tax collector whose duty it shall be to care for the matters relating to the collection of such taxes of the district."

AMENDMENT NUMBER FIFTY-SEVEN.

On page 20 of the printed amended bill, strike out the words "four weeks in some news-" in line 41, and also strike out line 42 and insert in lieu thereof the following: "two successive months in a newspaper of general circulation published in each county in which any of the lands in the district are situated."

AMENDMENT NUMBER FIFTY-EIGHT.

On page 20 of the printed amended bill, strike out the words "If no answer shall be" in line 46; also strike out lines 47 and 48 and the words "shall proceed as in other civil cases," in line 49 and insert in lieu thereof the following:

"When the summons has been served as provided herein and the time for answering has expired the court shall proceed to hear the case as in other cases and to that end must not enter judgment by default but must require proof of the facts alleged in the complaint and other pleadings."

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 979, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Slater, adopted.
Bill ordered to print.

Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rominger moved to refer Assembly Bill No. 1367 to Senator Eden as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all that portion after the period on line 3 of the printed bill and insert in lieu thereof the following: "Such portion of the delinquent tax list as describes land in any township must be published once a week for three successive weeks in some newspaper published and of general circulation in the township in which such land is located. *Provided* that if there be no newspaper published in such township the portion of the delinquent tax list which describes land situated in such township shall be published for said time in any newspaper of general circulation in said township in which said land is situated. All such publications shall be paid for at the county rate for advertising as fixed by the board of supervisors. *Provided, further*, that if there is no newspaper of general circulation published in said county such delinquent tax list must be posted in a public place in each township which said land is situated."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1367, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDEN, Special Committee.

Report read, and on motion of Senator Rominger, adopted.
Bill ordered to print.

Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1326 passed by the following vote:

AYES—Senators Allen, Boggs, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1038 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 653—An act to add a new section to be numbered section 15b to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers.

Assembly Bill No. 653 passed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

INMAN, Chairman.
HURLEY.
JOHNSON, A. B.
MURPHY.
DENNETT.
EDEN.
JOHNSON, M. B.
LEWIS.
CHAMBERLIN.

Assembly Bill No. 1045 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 869—An act to amend section 5 of, and to add a new section to be numbered 7a, to an act entitled "An act providing for the organization and regulation of reciprocal or inter-insurance exchanges, to be known as "the reciprocal or inter-insurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee," and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911," approved May 26, 1917, as amended," approved June 3, 1921,"—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

BURNETT, Chairman.

Assembly Bill No. 869 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 248—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; noes—1; absent—4.

BURNETT, Chairman.

Assembly Bill No. 248 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

BURNETT, Chairman.

Assembly Bill No. 1309 ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 546—An act to amend section 607c of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

ARBUCKLE, Chairman.

JOHNSON, A. B.

MURPHY.

GODSILL.

OSBORNE.

ALLEN.

LEWIS.

Assembly Bill No. 546 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 703—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back with amendments, and without recommendation.

Committee membership—15; committee vote: Ayes—13; absent—2.

HARRIS, Chairman.

Assembly Bill No. 703 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

JOHNSON, M. B., Chairman.

NELSON.

JONES.

MURPHY.

ROMINGER.

INGRAM.

Assembly Bill No. 1344 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor;

Also: Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health department; to enable the State Board of Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote: Ayes—11; absent—5.

GATES, E. J., Chairman.

Assembly Bills Nos. 237 and 1044 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor;

Also: Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross;

Also: Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737p, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith;

Also: Assembly Bill No. 380—An act appropriating money for expenditure as directed by the Division of Water Rights of the Department of Public Works of the State of California in aiding the department of interior of the United States in stream gaging work in the State of California;

Also: Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737 mm, relating to the salaries of superior judges, approved June 3, 1921;

Also: Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor—

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—11; absent—5.

GATES, E. J., Chairman.

Assembly Bills Nos. 102, 163, 217, 226, 380, 402 and 484 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737zzz, relating to the salaries of superior court judges;

Also: Assembly Bill No. 1058—An act to amend section 360b of the Political Code, relating to Department of Finance;

Also: Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College at Fresno;

Also: Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737ab, relating to the salaries of superior court judges in and for the county of Contra Costa—

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote:—Ayes—11; absent—5

GATES, E. J., Chairman.

Assembly Bills Nos. 1017, 1058, 1084, and 1370 ordered on file for second reading.

Dr. Frederick Lutz, director of research in world war studies, American War College, is the author of *Germany's Foreign Policy, 1914-1918*, published by the American Historical Association, 1920, 120 pp., \$1.00.

NOTE: Summary 100% to 100% should be interpreted as 100% to 100% for the purpose of the summary. Summary 100% to 100% should be interpreted as 100% to 100% for the purpose of the summary.

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0893-3200/97/\$12.00 DOI: 10.1037/0893-3200.11.4.411

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1. The first group of people who are not in the labor force are those who are not in the labor force because they are not in the labor force.

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As the plates and many mounted specimens of *Stegomyia* (D. & S.) of the *maculipes* group are added to the type.

1997

the number of American plants, Assembly 1026 previously reported from southern New York were taken up the North coast.

RECEIVED AT NEW YORK

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Assembly Bill No. 200...has not to replicate the existing and consistent use of schools and to provide guidelines for the voluntary shared.

[During the second meeting of the day, the following considerations were offered.]

1947

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1933

The paper is one of the several published by the "Journal" and is entitled "The Value of the American Newspaper." It is written by the author of the "The American Newspaper," and is a very interesting and valuable contribution to the literature of the subject.

1997

On page 2, line 11, of the original and after the word "small" delete the the word "and" and insert a comma and the following: "However, neither the small nor the large species are the subject of length measurements to assist in identifying specimens of the species belonging to the measured series to the original first series."

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

1911

The above information was obtained from the records of the Bureau of Census, Department of Commerce.

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AMENDMENT NUMBER FIVE.

On page 3, line 18, of the printed bill, after the word "of" and before the word "stories" strike out the words "three or more" and insert in lieu thereof "more than three".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 24, of the printed bill, after the word "exceeding" and before the word "stories" strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 26, of the printed bill, after the word "school" and before the word "may" strike out the words "not exceeding one story in height".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 41, of the printed bill, after the comma following the word "paper" strike out balance of the paragraph down to and including the period after the word "thick" on line 42, same page, and insert in lieu thereof the following: "and there shall then be applied thereon metal lath or wire mesh securely fastened to said sheathing and well plastered with Portland cement plaster or any other cement of equal quality plaster, not less than three-fourths inch thick. In every such semi-fireproof school which is of two stories in height the ceilings and wooden stud walls of hallways and stairwells, the underside of wooden stairways and the soffits of such stairways shall be lathed with metal lath and plastered not less than three-fourths inch thick."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 5, of the printed bill, after the word "of" and before the word "stories" strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 37, of the printed bill, after the word "than" and before the word "pounds" strike out the words "one hundred twenty-five" and insert in lieu thereof the words "one hundred".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 12, of the printed bill, after the period following the word "thick" insert the following sentence: "Any glass in any door or window or opening in the walls of a boiler room shall be wired glass not less than one-fourth ($\frac{1}{4}$) inch thick set in a metal or metal covered sash."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1 of the printed bill, after the word "of" strike out the remainder of the line and insert in lieu thereof the following: "three hundred thirteen dollars sixty cents".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 102 -An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 163 -An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737*p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1017 -An act to add a new section to the Political Code, to be numbered 737*ccc*, relating to the salaries of superior court judges.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1058 -An act to amend section 360*b* of the Political Code, relating to Department of Finance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1370—An act to add a new section to the Political Code, to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 609—An act making an appropriation for the grading, paving, curbing, guttering and drainage of certain streets fronting on property of the State in the city of Sacramento, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 248—An act to amend section 453 of the Civil Code relating to assessments and to by-laws which may be made for mutual benefit and life associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 380—An act appropriating money for expenditure as directed by the division of water rights of the Department of Public Works of the State of California in aiding the department of interior of the United States in stream gaging work in the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 546—An act to amend section 607*c* of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 869—An act to amend section 5 of, and to add a new section to be numbered 7*a*, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the reciprocal or interinsurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee," and repealing an act entitled

'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended," approved June 3, 1921."

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill as amended April 23, 1923, strike out the words "assessment or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill as amended April 23, 1923, strike out the words "actually levied and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill as amended April 23, 1923, between lines 23 and 24, insert the following:

"Savings or credits may be returned to the subscribers irrespective as to the source from which the same accrue whenever such returns do not constitute an impairment of the assets or reserves to be maintained as herein required; *provided, however,* that there shall be no discrimination in the making of such returns as between persons or places. Where the subscribers are grouped by industries or otherwise under any ruling or agreement which exempts the funds of one group from liability in whole or in part for the payment of losses or expenses chargeable against another group, each independent group must maintain the reserves herein specified and comply with the requirements of subdivision (f) of section three hereof relative to the number and amount of risks to be assumed."

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health department; to enable the State Board of Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill as amended, after the word "of" strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, and on file for third reading.

ADJOURNMENT.

At six o'clock and thirty minutes p.m., on motion of Senator Breed, Senator Gates, E. J., declared the Senate adjourned, out of respect to the memory of the late Thomas Brown, former Sergeant-at-Arms of the Senate, until ten o'clock a.m., Thursday, May 17, 1923.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, May 17, 1923.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

The roll was called, and the following members answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Demmett, Elden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, May 16, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rominger, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Col. and Mrs. C. J. Heartwell of Long Beach.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Frank Conklin, Maurice Conklin and Ben Scharf of San Francisco, and T. Arnoldy of Marysville.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to D. Leare of Los Angeles, Past Chief Ranger of California, International Order of Foresters.

COMMUNICATION.

The following communication was received by Senator Murphy and ordered printed in the Journal:

SAN FRANCISCO, May 16, 1923.

State Senate, Sacramento, California.

GENTLEMEN: The North Beach Promotion Association has indorsed the bill providing for the transfer of fourteen blocks of Marina land to the city of San Francisco, for use as a park, and urges the enactment of the bill.

Very truly yours,

NORTH BEACH PROMOTION ASSOCIATION.
By FRANK FISCHER, Secretary.

MESSAGES FROM THE ASSEMBLY

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and

registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act;

Also: Assembly Bill No. 424—An act to add a new section to the Penal Code, to be numbered 1599a, relating to property taken from persons detained in city, county, or city and county jails;

Also: Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays;

Also: Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout;

Also: Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries;

Also: Senate Bill No. 412—An act to amend section 629a of the Penal Code, relating to the protection of fish.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 708 and 412 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties;

Also: Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 731 and 727 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon; the

granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners;

Also: Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property;

Also: Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 688, 673 and 583 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act;

Also: Senate Bill No. 200—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California;

Also: Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code;

Also: Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers;

Also: Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by adding a new section to be known as section 26a relative to the qualification of directors, and by repealing section 32½ of said act.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 486, 200, 113, 303 and 39 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools;

Also: Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 102 and 448 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bill No. 184 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 538—An act to add a new section, to be numbered section 467a, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations;

Also: Senate Bill No. 324—An act to add a new section to the Political Code to

be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees;

Also: Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 538, 324 and 733 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Constitutional Amendment No. 13—A resolution to proposed to the people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THIRTY-FOUR.

Senator West asked for and was granted unanimous consent to take up Senate Bill No. 34.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THIRTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "provided that this section shall not affect nor apply to any female who shall have attained the age of eighteen years prior to the going into effect of this section."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 34?"

The roll was called, and Assembly amendment to Senate Bill No. 34 concurred in by the following vote:

AYES—Senators Allen, Boggs, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr. Handy, Harris, Ingram, Inman, Jones, Murphy, Osborne, Powers, Rush, Sample, Slater, Swing, and West—21.

NOES—None.

Senate Bill No. 34 ordered to enrollment.

SECRETARY JOSEPH A. BEEK AT THE DESK.

MOTION.

Senator Jones moved that Assembly Bill No. 1197 be withdrawn from the Committee on Finance, and be placed upon the file for passage.

The question being on the motion to recall Assembly Bill No. 1197 from committee.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—33.

The Secretary announced the absentees.

Time, ten o'clock and fifty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF SENATE.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461—and respectfully request your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWENTY-NINE.

Senator Burnett asked for and was granted unanimous consent to take up Senate Bill No. 29.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated

towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWENTY-NINE.

AMENDMENT NUMBER ONE.

On page 30, line 48, of the printed bill, after the word "it" strike out from and including the semicolon to and including the word "building" before the period on line 50, same page.

AMENDMENT NUMBER TWO.

On page 47, line 41, of the printed bill, strike out the period after the word "purposes" and insert in lieu thereof the following: "provided, that a room occupied or intended or designed to be occupied for sleeping purposes by but one person may contain not less than five hundred cubic feet of air space."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 29?"

The roll was called, and Assembly amendments to Senate Bill No. 29 concurred in by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—31.

NOES—None.

Senate Bill No. 29 ordered to enrollment.

UNFINISHED BUSINESS.

The Senate took up for consideration, at this time, Assembly Bill No. 478.

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 478 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, and Slater—26.

NOES—Senators Allen, Arbuckle, Chamberlin, Eden, Hart, Johnson, A. B., Rominger, Swing, and West—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and five minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and the motion to recall Assembly Bill No. 1197 from committee carried by the following vote:

AYES—Senators Allen, Boggs, Canepa, Chamberlin, Creighton, Crowley, Dennett, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Slater, and Swing—23.

NOES—Senators Arbuckle, Breed, Burnett, Carr, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Rominger, Rush, Sample, and West—14.

MESSAGES FROM THE ASSEMBLY — (RESUMED).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-FOUR.

Senator Breed asked for and was granted unanimous consent to take up Senate Bill No. 744.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FORTY-FOUR.

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after the period insert the following: "(d). 'Service station' is a place operated primarily for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles."

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, after the period add the following: "From any amount found to be due upon any report hereunder the distributor shall first be allowed to deduct one per cent of the tax otherwise due hereunder to cover subsequent losses occasioned by evaporation and handling."

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of lines 27 to 36, both inclusive, and insert in lieu thereof the following:

"Sec. 7. All motor vehicle fuel distributed by any distributor to any of its service stations, or other agencies, tank trucks, wagons, boats, barges, or other facilities operated by such distributor in this state shall for the purposes of this act be considered in the same manner and the same license tax shall be paid upon such motor vehicle fuel as though the same had been sold and delivered by such distributor; *provided*, that the amount of motor vehicle fuel distributed during any quarter to any such agency, tank truck, wagon, boat, barge, or other facility operated by the distributor is hereby defined to mean the amount thereof thereafter found to have been sold and delivered therefrom during such quarter plus one ninety-ninth thereof but excluding therefrom deliveries to service stations operated by such distributor.

All motor vehicle fuel used by a distributor in the operation of any motor vehicle shall for all the purposes of this act be considered in the same manner and the same license tax shall be paid upon such motor vehicle fuel as though the same had been sold by such distributor.

Nothing in this act shall be construed as requiring the payment of the license tax herein specified upon more than one sale, distribution or transfer of the same motor vehicle fuel."

AMENDMENT NUMBER FOUR.

On page 4, line 17, of the printed bill, after the word "commerce" strike out the period and insert the following: "nor to any motor vehicle fuel exported or sold for exportation and exported for use outside this state, nor to any motor vehicle fuel delivered under contracts entered into prior to the fourteenth day of May, 1923, nor to any motor vehicle fuel sold to the government of the United States or any department thereof."

AMENDMENT NUMBER FIVE.

On page 6, line 18, of the printed bill, strike out the word "or" and insert in lieu thereof the word "of".

AMENDMENT NUMBER SIX.

On page 2, line 19, of the printed bill, after the word "sold" add the words "and delivered".

AMENDMENT NUMBER SEVEN.

On page 2, line 38, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "forty".

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER NINE.

On page 3, line 5, of the printed bill, after the word "within" strike out the word "ten" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TEN.

On page 3, line 24, of the printed bill, after the word "before" strike out the word "twenty" and insert in lieu thereof the word "thirty".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 744?"

The roll was called, and Assembly amendments to Senate Bill No. 744 concurred in by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Senate Bill No. 744 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-THREE.

Senator Breed asked for and was granted unanimous consent to take up Senate Bill No. 743.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and

for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts of motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

On page 25, line 2, of the printed bill, following the comma after word "unladen", strike out the word "ten" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER TWO.

On page 26 of the printed bill as amended in the Assembly May 14, 1923, commencing with the word "when" in line 35, strike out all down to and including the word "conditions" in line 37, and, in lieu thereof, insert the following: "whenever in the judgment of such board local causes or conditions render such action necessary".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 743?"

The roll was called, and Assembly amendments to Senate Bill No. 743 was refused concurrence in by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rush, Sample, Slater, Swing, and West—33.

Senate Bill No. 743 ordered to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED NINETY-TWO.

Senator Lyon asked for and was granted unanimous consent to take up Senate Bill No. 592.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED NINETY-TWO.

AMENDMENT NUMBER ONE.

In line 4 of the printed bill, strike out the numerals "1912" and insert in lieu thereof the numerals "1921".

AMENDMENT NUMBER TWO.

In line 4 of the printed bill, after the word "repealed" add the following words "except as to claims for expenditures incurred in accordance with law prior to June 30, 1923."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 592?"

The roll was called, and Assembly amendments to Senate Bill No. 592 concurred in by the following vote:

AYES—Senators Allen, Boggs, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Slater, and West—27.

NOES—None.

Senate Bill No. 592 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNTMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED THIRTY-SIX.

Senator Nelson asked for and was granted unanimous consent to take up Senate Bill No. 136.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED THIRTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the words "married women have" and insert in lieu thereof the words "a married woman has".

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out the word "they" and insert in lieu thereof the word "she".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, strike out the word "their" and insert in lieu thereof the word "his".

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, strike out the word "women" and insert in lieu thereof the word "woman".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 136?"

The roll was called, and Assembly amendments to Senate Bill No. 136 concurred in by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Senate Bill No. 136 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED NINETY-ONE.

Senator Carr asked for and was granted unanimous consent to take up Senate Bill No. 291.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED NINETY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill after the word "index" strike out the word "docket" and insert in lieu thereof the words "register of proceedings".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 291?"

The roll was called, and Assembly amendment to Senate Bill No. 291 concurred in by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Johnson, A. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—30.

NOES—None.

Senate Bill No. 291 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FORTY-TWO.

Senator Lewis asked for and was granted unanimous consent to take up Senate Bill No. 342.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FORTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "furnish" insert the following: "or provide for the furnishing of."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 342?"

The roll was called, and Assembly amendment to Senate Bill No. 342 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

Senate Bill No. 342 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED FORTY.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Bill No. 540.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 540—An act to amend section 468 of the Civil Code of the

State of California, providing for the construction and operation of railroads.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED FORTY.

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, strike out the words "main or".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 540?"

The roll was called, and Assembly amendment to Senate Bill No. 540 concurred in by the following vote:

AYES—Senators Allen, Arnette, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Gadsil, Gray, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lyon, Murphy, Powers, Rominger, Rush, Sharkey, Slater, and Swing—29.

NOES—None.

Senate Bill No. 540 ordered to enrollment.

UNFINISHED BUSINESS.

Senate Bill No. 325—An act to amend section 57 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWENTY-FIVE.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "fifty-seven a" and in lieu thereof insert the word "fifty-seven".

AMENDMENT NUMBER TWO.

Strike out all of line 3 of the title of the printed bill commencing with the word "relating" and all of lines 4 and 5, and in lieu thereof insert the following: "as amended".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "fifty-seven a" and in lieu thereof insert the word "fifty-seven".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 5 to 22, both inclusive, and all of page 2 and in lieu thereof insert the following:

"Sec. 57. Whenever in this act it is required that loans or investments shall be secured by a first lien on real estate, the lien of any tax, assessment or bond levied or issued by this state or by any county, city and county, city, town, municipality, school district, reclamation district, irrigation district or any other political or governmental subdivision of this state (not including bonds given pursuant to any law authorizing the same by any person or corporation in lieu of payment of any tax or assessment levied against any particular real property) and the lien of any assessment levied to pay such bonds, and the lien created by any contract to secure the payment for water furnished thereunder for the irrigation of such real estate or any part thereof, shall not be deemed to be a prior encumbrance or lien on such real property unless an installment call or payment of or under such tax, assessment bond or contract shall be due and delinquent; and any bonds given pursuant to any law authorizing the same by any person or corporation in lieu of payment of any tax or assessment levied against any particular real property and any lien given to secure the payment of assessments or subscriptions to meet the requirements of any law of the United States in respect to any irrigation project of the United States in this state which may be levied, made or received by any corporation or association formed to carry out the objects and requirements of any such law of the United States shall not be deemed to be a prior encumbrance or lien on such real property if the lien given to secure such assessments and subscriptions taken with the loan or investment so secured shall amount to not more than sixty per centum of the market value of the land securing the same."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 325?"

The roll was called, and Assembly amendments to Senate Bill No. 325 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Jones, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and West—33.

NOES—None.

Senate Bill No. 325 ordered to enrollment.

UNFINISHED BUSINESS.

Senate Bill No. 216—An act to amend an act entitled “An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof,” approved June 3, 1921, by amending sections 1, 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED SIXTEEN.

AMENDMENT NUMBER ONE.

On page 16, line 25, of the printed bill, strike out the word “twenty” and insert in lieu thereof the word “ten”.

AMENDMENT NUMBER TWO.

On page 16, line 25, of the printed bill, strike out the word “twenty” and insert in lieu thereof the word “ten”.

AMENDMENT NUMBER THREE.

On page 16, line 46, of the printed bill, strike out the word “twenty” and insert in lieu thereof the word “ten”.

AMENDMENT NUMBER FOUR.

On page 17, line 27, of the printed bill, strike out the words “one year” and insert in lieu thereof the words “three years”.

AMENDMENT NUMBER FIVE.

On page 17, line 32, of the printed bill, strike out the words “one year” and insert in lieu thereof the words “three years”.

AMENDMENT NUMBER SIX.

On page 17 of the printed bill, as amended in the Assembly April 14, 1923, in lines 37 and 38, strike out the words “subsequent water storage district assessment”, and insert in lieu thereof the following: “water storage districts assessment, or portion thereof.”.

AMENDMENT NUMBER SEVEN.

On page 14, line 7, of the printed bill as amended, change the word “with” to “within”.

AMENDMENT NUMBER EIGHT.

On page 9, line 40, of the printed bill as amended, change the word "of" to "or".

AMENDMENT NUMBER NINE.

On page 15, line 34, of the printed bill as amended, change "forty" to "fifty".

AMENDMENT NUMBER TEN.

On page 18, line 17, of the printed bill as amended, change "one" to "three".

AMENDMENT NUMBER ELEVEN.

In line 20 to the title of the printed bill as amended, after the comma following the word "nineteen" insert the word "twenty-one" and a comma.

AMENDMENT NUMBER TWELVE.

On page 12, line 1, of the printed bill as amended, change "thirty" to "forty".

AMENDMENT NUMBER THIRTEEN.

On page 12, line 4, of the printed bill as amended, change "ten" to "fifteen".

AMENDMENT NUMBER FOURTEEN.

On page 12, line 6, of the printed bill as amended, change "four" to "two".

AMENDMENT NUMBER FIFTEEN.

On page 12, line 8, of the printed bill as amended, change "ten" to "fifteen".

AMENDMENT NUMBER SIXTEEN.

On page 12, line 9, of the printed bill as amended, change "eleventh" to "sixteenth".

AMENDMENT NUMBER SEVENTEEN.

On page 10 of the printed bill as amended, insert after line 22 the following:

"Sec. 7a. Section twenty-one of said act is hereby amended to read as follows:

Sec. 21. At the end of thirty days the treasurer must make return to the board of directors of the district of all assessments paid. All unpaid assessments shall bear interest at the rate of seven per cent per annum. Thereafter all unpaid assessments and accrued interest shall be collected when and as called, and paid to the treasurer of the county or counties, who shall collect and hold such moneys to the credit of the district. Unless bonds shall have been authorized as hereinafter provided, all such payments shall be made in such amounts or installments and at such times respectively as the said board, from time to time, in its discretion, by order entered in its minutes, may direct. Upon making any order fixing and calling such installment or amount, the secretary shall also enter in the minutes of the board, and certify to each county treasurer for signature and mailing or publication in the counties in which any lands within the district are situated a notice in substantially the following form:

Name: (name) water storage district.

(Location of the principal place of business.) Notice is hereby given that, at a meeting of the board of directors held on _____ an installment of _____ per cent of assessment number _____ was ordered paid within sixty days from the date thereof to the respective county treasurers of the counties wherein lands of such districts are situate. Any installment which shall remain unpaid on the (day fixed) will be delinquent, together with the accrued interest thereon, with ten per cent of such installment and interest added as penalty.

(Signed) _____

Treasurer of _____ County.

Such notice must be sent through the mail, addressed to each owner of land in the district at his place of residence if known or entered upon the assessment roll of the district, and if not known, at the place where the principal office of the district is situated, or in lieu thereof such notice shall be published once a week for two successive weeks in each such county.

If any such installment shall remain unpaid at the expiration of said sixty days from the date of the order, then the said installment of said assessment shall become delinquent, together with the accrued interest thereon and a penalty of ten per cent of the amount of said installment and interest shall be added thereto and collected for the use of the district.

Immediately after the said installment has become delinquent the said county treasurer or county treasurers must publish once a week for two successive weeks in each county wherein lands of the district are situate, in one notice a list of all delinquencies in such county, which notice shall contain a description of the property assessed, the name of the person to whom it is assessed or a statement that it is assessed to unknown owners, if such is the fact, the amount then due on said property, and a notice that the property assessed will be sold on the date therein stated in front of the courthouse of said county to pay the amount then due on

said property. The date of said sale shall not be less than ten days after the date of the last publication of said notice. At the time stated in said notice, or such other time to which said sale may have been postponed, the county treasurer must sell said property to the highest bidder for gold coin of the United States. Out of the proceeds of said sale the county treasurer must deposit the amount due on said property as shown in said notice to the proper fund of the said district. The county treasurer must pay to the owner of said property any surplus remaining after said deposit to the credit of the district, after first deducting any expense of sale. Except where bonds have been issued upon an assessment the board of directors may direct the county treasurer to postpone said sale from time to time for not less than ten nor more than thirty days at one time, by a written notice posted at the place of sale.

If no bid is made for said property equal to the amount due thereon, it must be struck off to the district for the said amount so due. A certificate of such sale shall be executed by the county treasurer to the purchaser, or to the district if the property shall have been struck off to the district, and this certificate of sale shall be recorded in the office of the county recorder of said county. Any person interested in said property may redeem the same at any time within three years after the date of said sale, by paying to the county treasurer the amount for which the said property was sold, and interest on the said sum at the rate of two per cent per month from the date of said sale, which amount shall be credited to the proper fund of said district.

If no redemption shall be made within said three years, the purchaser or the district, if the property shall have been sold to the district, shall be entitled to a deed executed by the county treasurer or his successor in office, and the effect of such deed shall be to convey said property free and clear of all liens and incumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by or under statutory authority and any water storage district assessment or portion thereof remaining unpaid at the date of said sale, each installment whereof may be called and collected as herein provided. The board of directors may sell such property sold to the district at any time at public auction after notice given for the same period and in the same manner as is herein provided for sale of delinquent assessments, but not for a sum less than the amount for which said property was sold, with interest at seven per cent per annum, and the deed executed in pursuance of such sale shall convey said property free of all incumbrances except as herein above provided for said deed by the county treasurer."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 216?"

The roll was called, and Assembly amendments to Senate Bill No. 216 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, and West—32.

NOES—None.

Senate Bill No. 216 ordered to enrollment.

UNFINISHED BUSINESS.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

SENATE REFUSES TO RECEDE.

The question being, "Shall the Senate recede from Senate amendments to Assembly Bill No. 1166?"

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1166 by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Sample, Slater, and West—30.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Swing, Eden and Rominger, as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 1166.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER EIGHTY-TWO.

Senator Hurley asked for and was granted unanimous consent to take up Senate Bill No. 82.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and providing penalties for violations thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the comma after the word "persons" strike out all of lines 8 to 17 inclusive and insert in lieu thereof the following: "At least two of whom shall be journeymen barbers who have for at least five years prior to their appointment followed said occupation and have been residents of this state for a period of three years, is hereby created to carry out the purposes and enforce the provisions of this act. Said board shall be appointed by the Governor and each member thereof shall serve for a term of four years and until his successor is appointed and qualified except in the case of the members of the first board who shall serve two, three and four years respectively".

AMENDMENT NUMBER TWO.

On page 6, line 3, of the printed bill, strike out all language in section 24 and insert in lieu thereof the following: "All moneys collected under the provision of this act shall be paid at the end of each month into the state treasury, to the credit of the general fund. The board of examiners are hereby authorized to draw against the general fund for the payment of expenses in the performance of necessary duties in compliance with this act, not however, in excess of the amount collected and actually paid into the general fund under this act. Claims against the general fund under this act shall be audited by the state board of examiners and by the board of control, and shall be paid by the state treasurer on warrants drawn by the state controller."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 82?"

The roll was called, and Assembly amendments to Senate Bill No. 82 concurred in by the following vote:

AYES—Senators: Allen, Arbuckle, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hurley, Inman, Johnson, A. B., Johnson, M. B., Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and West—26.

NOES—None.

Senate Bill No. 82 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, approved May 27, 1915, by amending sections 20, 21, 29, 32, 45 and 52 thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-TWO.

Senator Dennett asked for and was granted unanimous consent to take up Senate Bill No. 482.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers by amending sections 20, 21, 29, 32, 45 and 52 thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED EIGHTY-TWO.

AMENDMENT NUMBER ONE.

In line 10 of the title, after the word "officers" insert "Approved May 27th, 1915."

AMENDMENT NUMBER TWO.

On page 3 of the amended printed bill, after line 5, insert the following:

"No action providing for any specific improvement or the appropriation or expenditure of any of the district funds except such as are provided for in the regular annual budget, nor any action providing for the appropriation, acquisition, sale or lease of public property or for the levy of any tax or assessment, shall, except as otherwise in this act specifically provided, be taken except by ordinance.

All ordinances shall be subject to referendum (exercised in accordance with the provisions of the general laws of the State of California with reference to the referendum) during the period of thirty days above referred to between the time of final passage and the time of taking effect."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 482?"

The roll was called, and Assembly amendments to Senate Bill No. 482 concurred in by the following vote:

AYES—Senators Allen, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gray, Handy, Harris, Hart, Hurley, Inman, Johnson, A. B. Johnson, M. B. Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, Swing, and West—26.
 NOES—None.

Senate Bill No. 482 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled, "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
 By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FORTY-SIX.

Senator Creighton asked for and was granted unanimous consent to take up Senate Bill No. 46.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 46—An act to amend section 613 of the Code of Civil Procedure, relating to deliberations of the jury in civil actions.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FORTY-SIX.

AMENDMENT NUMBER ONE.

In section 1, line 10, of the printed bill, after the word "schools" strike out the following: "and which membership is dependent upon enrollment in elementary or secondary schools,".

AMENDMENT NUMBER TWO.

In section 1, line 20, of the printed bill, after the word "joining" strike out the remainder of said line 20; strike out also all of line 1 on page 2, of said section 1, and the words "of America, or other kindred" in line 2, and insert the words "any adult".

AMENDMENT NUMBER THREE.

In section 1, line 2, page 2, of the printed bill, after the word "organizations" insert the words "or fraternities".

AMENDMENT NUMBER FOUR.

In section 1, line 3, page 2, of the printed bill, after the word "schools" insert the words "or universities".

AMENDMENT NUMBER FIVE.

In section 1, line 3, page 2, of the printed bill, substitute a comma in place of the period following the word "state" and add the following: ", or any junior branches thereof, or any junior organizations sponsored by and under the control of any such adult fraternal organization."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 46?"

The roll was called, and Assembly amendments to Senate Bill No. 46 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B. Johnson, M. B. Johnson, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—30.
 NOES—None.

Senate Bill No. 46 ordered to enrollment.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Eden moved to reconsider the vote whereby Assembly Bill No. 1329 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 1329 was refused passage carried by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Inman, Johnson, M. B., Lyon, Murphy, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—25.

NOES—None.

Bill ordered to unfinished business file.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by adding a new section thereto to be numbered section 64.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 893 passed by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Slater, and West—25.

NOES—Senator Dennett—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1353 passed by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves

and piers, sea-walls, state or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize said districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1286 passed by the following vote:

AYES—Senators Allen, Arbuckle, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Gray, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF ASSEMBLY BILL.

On motion of Senator Lyon, Assembly Bill No. 821 was ordered taken from the file and re-referred to Committee on Judiciary.

Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1000 passed by the following vote:

AYES—Senators Allen, Arbuckle, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Slater, and Swing—40.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 318 passed by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 838 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 13 to Senator Gates, E. J., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "adjudication" insert the words "in an insanity proceeding".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, after the word "further," insert the following: "or as a consequence of the discharge of marital duties such as childbirth, or as a consequence of change of life,".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, strike out the period after the word "action", and insert the following: "and the insanity must have arisen in the State of California."

AMENDMENT NUMBER FOUR.

On page 2, line 18, of the printed bill, strike out the period after the word "court", and add a semicolon and the following: "*Provided, however,* that any person, who has commenced an action for divorce on the ground of insanity, or, who has obtained a divorce on the ground of insanity, shall be ineligible to become or act as the guardian of the person or estate or either of them of the insane spouse."

AMENDMENT NUMBER FIVE.

On page 2, line 38, of the printed bill, strike out the period after the word "contained" and add a semicolon and the following: "*Provided, however,* that nothing herein contained shall effect the disposition of the community property upon a divorce as provided in section one hundred forty-six of this code".

Also: Assembly Bill No. 106—An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation, or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for the naming of such parks; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act;

Also: Assembly Bill No. 139—An act to amend section 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges;

Also: Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and providing funds therefor.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties;

Also: Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof;

Also: Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to salaries, fees and expenses of officers in counties of the fourth class;

Also: Assembly Bill No. 570—An act to amend section 39f of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district;

Also: Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments;

Also: Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27a, relating to the appointment of deputies.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended, by adding sections 1, 1a, 2, 2a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto numbered 2b, 2c, 4a, 4b, 4c, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 6a, 6b, 6c, 7a, 7b, 7c, 8a, 8b, 8c, 9a, 10a, 10b, 10c, 11a, 11b, 11c, and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation;

Asst. Assembly Bill No. 769—An act to amend section 1567 of the Political Code, relating to the duties of the Superintendent of Schools.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

A's

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT, I am honored to inform your honorable body that the Assembly on this day reported to Senate amendments to Assembly Bill No. 774—An act to amend section 1567 of the Political Code, relating to the duties of the Superintendent of Schools.

Asst. Assembly Bill No. 775—An act to amend sections 1 and 2 of an act entitled "An act to provide compensation, compensation and salaries for persons who served in the Army, Navy or Marine Corps of the United States in time of war and making an appropriation therefor," approved May 30, 1921.

Asst. Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 of an act entitled "An act providing a Veterans' Welfare Board," approved May 30, 1921, and sections 1 and 2 of an act entitled "An act providing for the compensation of persons who served in the Army, Navy or Marine Corps of the United States in time of war and making an appropriation therefor," approved May 30, 1921.

Asst. Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of an act entitled "An act providing for the compensation of persons who served in the Army, Navy or Marine Corps of the United States in time of war and making an appropriation therefor," approved May 30, 1921.

Asst. Assembly Bill No. 788—An act to amend sections 4205 and 4207 of the Political Code, relating to the duties of the Superintendent of Schools.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

A's

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT, I am honored to inform your honorable body that the Assembly on this day reported to Senate amendments to Assembly Bill No. 1169—An act providing for the compensation of persons who served in the Army, Navy or Marine Corps of the United States in time of war and making an appropriation therefor, approved May 30, 1921.

Asst. Assembly Bill No. 1171—An act providing for the compensation of persons who served in the Army, Navy or Marine Corps of the United States in time of war and making an appropriation therefor, approved May 30, 1921.

Asst. Assembly Bill No. 1172—An act providing for the collection of money advanced in payment of taxes on real property by co-owners.

Asst. Assembly Bill No. 1211—An act to amend an act entitled "An act regulating the licensing of persons, providing a license for the operation, control and use of the various moving pictures, pictures and pictures to be used and kept, prohibiting any person from exhibiting or being responsible for any person exhibiting, controlling or showing of films, providing for the collection of taxes and expenses in the event of failure to license pictures, and granting the Commissioner of the Bureau of Public Safety the power to enforce the laws and regulations in such and the said act and amend the act and amend section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 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700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT, Your Committee on Education to which was referred Assembly Bill No. 561—An act to amend section 1002 of the Political Code, relating to the duties of the Superintendent of Schools, has the honor to report, and recommends that the same be passed.

(Signed) _____

HARRIS, Chairman.
C. E. HIGHTON.
EDEN.
MURPHY.
INGRAM.
JOHNSON.
BOGGS.
HUGHES.

Assembly Bill No. 561 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness;

Also: Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 1173—An act to amend section 296 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

CARR, Chairman.

Assembly Bills Nos. 479, 822, 824, 1173 and 1210 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9; committee vote: Ayes—6; absent—3.

CARR, Chairman.

Assembly Bill No. 1306 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant on the contingent fund of the Senate in the sum of \$785.33, in favor of the Secretary of the Senate, in payment of the following items:

| | |
|--|----------|
| State Supply Department, for supplies furnished Senate..... | \$427.56 |
| Sacramento Typewriter Company, rent of typewriter for Finance Committee April 27 to May 15, 1923..... | 4.00 |
| Wholesale Typewriter Company, rent of 26 typewriters from April 8 to May 21, 1923, at \$4.00 per month each..... | 156.00 |
| Remington Typewriter Company, rent of 9 typewriters from April 8 to May 21, 1923, at \$4.00 per month each..... | 54.00 |
| Cascade Towel Supply Company, towels supplied Senate..... | 94.03 |
| Wahl Stationery Co., six Listo pencils, two boxes Listo leads..... | 6.50 |
| Pacific Telephone & Telegraph Co., service for months of April and May | 43.24 |
| Total | \$785.33 |

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Sample, Sharkey, and Slater—27.

NOES—None.

MOTION.

On motion of Senator Crowley, Assembly bills reported from committee were taken up for second reading.

CONSIDERATION OF DAILY FILE—SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1173—An act to amend section 296 of the Civil Code, relating to corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools.

Bill read second time, and ordered on file for third reading.

MOTION TO RECALL BILL FROM COMMITTEE.

Senator Lewis moved to recall Assembly Bill No. 506 from the Committee on Public Health and Quarantine and that the same be placed on file for immediate consideration.

The question being on the motion to recall Assembly Bill No. 506 from committee.

The roll was called, and the motion lost by the following vote:

AYES—Senators Allen, Boggs, Creighton, Dennett, Inman, Johnson, A. B. Lewis, Nelson, Rominger, and Rush—10.

NOES—Senators Arbuckle, Breed, Burnett, Crowley, Eden, Gates, Dr. Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Murphy, Osborne, Sample, Slater, and Swing—18.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1136 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Murphy, Nelson, Osborne, Rush, Sample, Slater and Swing—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts.

Assembly Bill No. 813 passed on file.

Assembly Bill No. 1357—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Assembly Bill No. 1357 passed on file.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 229 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and Swing—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 569 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hughes, Ingram, Inman, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and Swing—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 420—An act to add a new section to be numbered section 8g, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended, relating to reports to be made by physicians to police authorities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 420 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hughes, Ingram, Inman, Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and Swing—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to Levee District No. 1 of Sutter County.

Assembly Bill No. 74 passed on file.

Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive, of chapter I of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states.

Assembly Bill No. 1312 passed on file.

RE-REFERENCE OF BILLS.

On motion of Senator Swing Assembly Bills Nos. 171, 166, 167, 168, 169, 170 were taken from file and ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257a, relating to the prohibiting of publication of indebtedness.

Assembly Bill No. 1014 passed on file.

Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 404 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and Swing—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered by Senator Harris:

WHEREAS, The course of study prescribed for the schools of this State requires a constant resort and reference to the constitution of the State; and

WHEREAS, It is of vital importance and of paramount value to the State that every person desiring a constitution of the State of California and of the United States should be furnished with a copy of the same; and

WHEREAS, It is necessary in order to properly consider matters coming before the Legislature that the members of the Senate and of the Assembly should have available for constant use copies of the constitution conveniently arranged and indexed; and

WHEREAS, Since the war there has been an awakened interest in the study of the constitution, and demand and request for copies of the same from ex-service men, schools, women's clubs and persons desiring to study the constitution of our great State and nation in their efforts to prepare themselves for a more complete participation as citizens and to prepare themselves to become citizens; and

WHEREAS, The supply of constitutional pamphlets heretofore printed by the State has become exhausted, and recent amendments have been adopted by the people; now, therefore, be it

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Legislative Counsel Bureau for the sum of \$750 for the compilation and publication of a new edition of the constitution, said sum to be payable out of the contingent fund of the Senate, and the treasurer is hereby directed to pay the same; and be it further

Resolved, That the Legislative Counsel Bureau be and it is hereby instructed to compile and cause to be published and to be distributed to persons requesting copies of the same a new edition of the constitution.

Resolution referred to Committee on Contingent Expenses.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 49.

A resolution to propose to the people of the State of California an amendment to section 13 of article XIII of the constitution, relating to the exemption of State and municipal bonds from taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its forty-fifth regular session commencing on the eighth day of January, 1923, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that section 13 of article XIII of the constitution of this State be amended to read as follows:

Sec. 13. All bonds hereafter issued by the State of California, or by any county, city and county, municipal corporation or district, including school, reclamation, irrigation, and public utility districts, within this State, shall be free and exempt from taxation.

Assembly constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 49 adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, and Swing—30.

NOES—None.

Assembly Constitutional Amendment No. 49 ordered transmitted to the Assembly.

Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the

limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other persons governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1361 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Reminger, Sample, Sharkey, Swing, and West—32.

NEES—Senators Ingram, Luman, McDonald, Rush, and Slater—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 52.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution, relating to tax exemption.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California, that section 1 of article XIII of the constitution of this State be amended to read as follows:

Section 1. All property in the State except as otherwise in this constitution provided, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law, or as hereinafter provided. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that a mortgage, deed of trust, contract, or other obligation by which a debt is secured when land is pledged as security for the payment thereof, together with the money represented by such debt, shall not be considered property subject to taxation; *and further provided*, that property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county, city and county, or municipal corporation within this State shall be exempt from taxation, except such lands and the improvements thereon located outside of the county, city and county, or municipal corporation owning the same as were subject to taxation at the time of the acquisition of the same by said county, city and county, or municipal corporation; *provided*, that no improvements of any character whatever constructed by any county, city and county or municipal corporation shall be subject to taxation; *provided*, that property, not exceeding in value in any one county the sum of \$50,000.00 (fifty thousand dollars), used exclusively as air-ports or aviation fields under the control of United States Government shall be exempt from taxation while so used and under such control. All lands or improvements thereon, belonging to any county, city and county, or municipal corporation, not exempt from taxation, shall be assessed by the assessor of the county, city and county, or municipal corporation in which said lands or improvements are located, and said assessment shall be subject to review, equalization and adjustment by the State Board of Equalization. The Legislature may provide, except in the case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 52 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Assembly Constitutional Amendment No. 52 ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax.

Assembly Constitutional Amendment No. 47 passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 57.

A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that a new section be added to article XIII, to be numbered section 9a, and to read as follows:

SEC. 9a. The taxes levied upon personal property for any current tax year shall be based upon the valuation placed upon such property for the preceding tax year. Nothing in this section shall be construed to prohibit the equalization each year of the assessment on personal property in the manner now or hereafter provided by law.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 57 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Assembly Constitutional Amendment No. 57 ordered transmitted to the Assembly.

Assembly Bill No. 133—An act to amend section 1142 of the Political Code, relating to appointment of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 133 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests,

Assembly Bill No. 251 passed on file.

Assembly Bill No. 653—An act to add a new section to be numbered section 15*b* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 91 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a state highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 320 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 418—An act to repeal section 3897a of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 418 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 746 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list.

Assembly Bill No. 1367 passed on file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind;

Also: Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians;

Also: Senate Bill No. 553—An act to amend section 1142a of the Political Code, relating to election laws:

Also: Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257a, relating to the duties of election officers:

Also: Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure to be designated as section 1248a, relating to proceedings for the condemnation of property when there are adverse or conflicting claims in and to such property:

Also: Senate Bill No. 680—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district:

Also: Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes:

Also: Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor:

Also: Senate Bill No. 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended:

Also: Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child:

Also: Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended:

Also: Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280a and 1280b, relating to justification of bail:

Also: Senate Bill No. 160—An act to repeal title I, and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 36, 458, 669, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as section 35a, 1097, 1098, 1099, 1109, and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states:

Also: Senate Bill No. 174—An act declaring and establishing a State highway between Alturas, in Modoc County, and New Pine Creek on the California-Oregon State line:

Also: Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the State of Arizona opposite the town of Tappan, Arizona, to be a State Highway:

Also: Senate Bill No. 156—An act to prevent the unauthorized use and dissemination of and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the dissemination and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act:

Also: Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication:

Also: Senate Bill No. 133—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909:

Also: Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended:

Also: Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age

of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties;

Also: Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Also: Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended;

Also: Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor;

Also: Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases;

Also: Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays;

Also: Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds;

Also: Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto;

Also: Senate Bill No. 562—An act to amend the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance;

Also: Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts and change of boundaries of school districts;

Also: Senate Concurrent Resolution No. 24—Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923;

Also: Senate Concurrent Resolution No. 22—Approving amendment to the charter of the county of Los Angeles, State of California;

Also: Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid to women in trade or industry;

Also: Senate Joint Resolution No. 15—Relative to industrial disputes;

Also: Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship;

Also: Senate Joint Resolution No. 12—Relative to the employment of war veterans at the Soldiers' Home at Sawtelle;

Also: Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911;

Also: Senate Bill No. 510—An act creating the California Military Reserve, providing for the appointment of officers therein, and when said reserve may be called into active service;

Also: Senate Bill, No. 685—An act to amend section 860 of the Penal Code relating to examinations before committing magistrates and filing of informations by the district attorney;

Also: Senate Bill No. 178—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing;

Also: Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at ten o'clock and thirty minutes a.m.

GATES, DR., Chairman.

SENATOR GATES, E. J., IN THE CHAIR.

At five o'clock and forty minutes, p.m., Senator Gates, E. J., of the thirty-fifth district was called to the chair.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 738 to Senator Handy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 45, of the amended bill, strike out the word "five", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWO.

On page 2, line 48, of the amended bill, strike out the word "five" and insert in lieu thereof the word "four".

ROLL CALL DEMANDED.

Motion to refer carried, and the amendments adopted by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rush, and Swing—23.

NOES—Senators Arbuckle, Eden, Gates, E. J., Godsil, Hart, Johnson, A. B., Lyon, McDonald, Powers, Rominger, Sample, Sharkey, Slater, and West—14.

Bill read third time, amended, ordered to print, and re-engrossment.

Assembly Bill No. 1273—An act to provide for the care of under-nourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 1273 to Senator Rush, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5 of the title of the printed bill, strike out all of lines 4 and 5 of said title.

AMENDMENT NUMBER TWO.

Also strike out the "comma" following the word "thereof" in line 3 of the title and insert in lieu thereof a "period".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1273, with instructions to amend, respectfully reports the same back, amended as per instructions.

RUSH, Special Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print.

Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Handy moved to refer Assembly Bill No. 35 to Senator Powers, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 3 and insert in lieu thereof the words "Director of Institutions".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 35, with instructions to amend, respectfully reports the same back, amended as per instructions.

POWERS, Special Committee.

Report read, and on motion of Senator Handy, adopted.
Bill ordered to print.

Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Handy moved to refer Assembly Bill No. 1351 to Senator Nelson as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill and in lieu thereof insert the following: "An act providing for the appointment of a disinterested party to act as an investigator and conciliator of industrial controversies by the superior judge or judges of the county, city and county, or counties in which the controversy arises upon request of the governor and prescribing the powers and duties of such investigator and conciliator."

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out all of line 2 after the word "employees" and all of line 3 preceding the comma and in lieu thereof insert the following: "the governor may request the superior judge or any one of the superior judges of the county, city and county, or counties in which such controversy may exist to appoint a disinterested party".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the comma insert the word "who".

AMENDMENT NUMBER FOUR.

On page 1, of the printed bill, strike out all of line 14 after the period and all of line 15 and in lieu thereof insert the following: "Such conciliator shall".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1351, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Handy, adopted.
Bill ordered to print.

Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District prescribing its boundaries and providing for the government and control thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, E. J., moved to refer Assembly Bill No. 1297 to Senator Rominger, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 33, of the printed bill as amended May 16, 1923, after the word "divert" insert the following: ", store and use".

AMENDMENT NUMBER TWO.

On page 4, line 34, of the printed bill as amended May 16, 1923, after the comma following the word "district" insert the following: "nor to interfere with

any right which said district may now have or may hereafter acquire to generate electric energy in connection with the diversion, storage and use of such water to the fullest extent compatible with the application of such water to the lands to be so irrigated."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1297, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROMINGER, Special Committee.

Report read, and on motion of Senator Gates, E. J., adopted.

Bill ordered to print.

Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sample moved to refer Assembly Bill No. 1180 to Senator Eden, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, strike out the words "here and after" and insert in lieu thereof the word "hereinafter".

AMENDMENT NUMBER TWO.

On page 5, line 24, of the printed bill, after the word "polls" insert a comma.

AMENDMENT NUMBER THREE.

On page 5, line 25, of the printed bill, after the word "election" insert a comma.

AMENDMENT NUMBER FOUR.

On page 7, line 25, of the printed bill, strike out the word "redeem" and insert in lieu thereof the word "redeemed".

AMENDMENT NUMBER FIVE.

On page 7, line 34, of the printed bill, strike out the word "party" and insert in lieu thereof the words "person or persons".

AMENDMENT NUMBER SIX.

On page 4, line 24, of the printed bill, after the word "which" insert the word "the".

AMENDMENT NUMBER SEVEN.

On page 4, line 38, of the printed bill, strike out the word "shall" and all the remainder of line 38 and all of lines 39, 40, 41, and in line 42 strike out the first word "and".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1180, with instructions to amend, respectfully reports the same back, amended as per instructions.

EDEN, Special Committee.

Report read, and on motion of Senator Sample, adopted.

Bill ordered to print.

Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 497 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, commencing with line 4 strike out all of section 8 and insert in lieu thereof the following:

"The superintendent of schools, five thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools, one deputy superintendent of schools, who shall be appointed by the superintendent of schools, and shall be paid a salary of one hundred fifty dollars per month; one field deputy superintendent of schools, who shall be appointed by the superintendent of schools to assist the superintendent of schools in the discharge of his duty in visiting and examining schools, as provided by the state law, and it shall be the duty of said field deputy superintendent of schools to make written report of his examination, to be transmitted by the superintendent of schools to each trustee of all districts so examined; said field deputy shall receive a salary of two hundred fifty dollars per month, and his actual and necessary traveling expenses while engaged in performing the duties of his office under the direction of the superintendent of schools; one deputy superintendent of schools who shall be a registered nurse, to be appointed by the superintendent of schools, and who shall receive a salary of one hundred fifty dollars per month. The salary of the deputies provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of superintendent of schools is paid."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 497, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Sharkey, adopted.

Bill ordered to print.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Burnett:

WHEREAS, The provisions of the State Tenement House Act, the State Hotel and Lodging House Act and the State Dwelling House Act have been combined in an act entitled the State Housing Act, enacted by Senate Bill No. 29, which act changes the provisions of said three acts very materially and which bill has passed both houses of the Legislature and is now about to be transmitted to the Governor; and

WHEREAS, It is very necessary that the architects, contractors and builders of the State of California have accurate knowledge of the building laws of the State at the time the buildings are designed and the estimates of cost are made upon which the contracts are based; and

WHEREAS, Municipal authorities from past experience are known not to publish such housing laws in pamphlet form for a long time after they are on the statute books, if at all; therefore, be it

Resolved, That the State Printer be and he is hereby directed to print five thousand copies of said State Housing Act, together with a cover, an index and section headings and a short commentary thereon by Senator Burnett; and be it further

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Senate in favor of the State Printer and the State Treasurer is hereby ordered to pay the same, for the sum of \$200 or so much thereof as may be necessary, in payment of the cost of such printing and publication.

Such publication is only to be made in case Senate Bill No. 29, known as the State Housing Act, passed by this session of the Legislature, is signed by the Governor of California.

Resolution referred to Committee on Contingent Expenses.

MOTION TO RECALL MESSAGE FROM THE ASSEMBLY.

Senator Breed moved that the Secretary be instructed to request the Assembly to return the message informing the Assembly that the Senate had refused to concur in Assembly amendments to Senate Bill No. 157, sent to the Assembly May 15, 1923.

RECESS.

At six o'clock p.m., on motion of Senator Sharkey, Senator Gates, E. J., declared the Senate at recess until the hour of eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.
Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

REPORT OF COMMITTEE ON CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts of motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—report that we have met a like Committee of the Assembly, consisting of Assemblymen Graves, Stow and McDowell, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

HART,
CARR,
INGRAM.

Senate Committee on Conference.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Conference report concerning Senate Bill No. 743, recommending the appointment of a Committee on Free Conference and the following Assemblymen were appointed: Bromley, Dozier, and Baker, C. C., to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.
By E. E. EUSTICE, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Breed, M. B. Johnson and E. J. Gates as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Senate Bill No. 743.

APPOINTMENT BY PRESIDENT.

Senators Crowley, Slater and Gates, E. J., were appointed by the President of the Senate to draft resolutions of respect to the memory of the late Thomas Brown, former Sergeant at-Arms of the Senate.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS—
(RESUMED).

Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1243 passed by the following vote:

AYES—Senators Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10, 25, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator West moved to refer Assembly Bill No. 1304 to Senator Arbuckle, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill, as amended May 11, 1923, strike out the following: "The state (or county) of my birth was _____"

AMENDMENT NUMBER TWO.

On page 4, line 15, of the printed bill, as amended, May 16, 1923, after the comma insert the following: "shall be affiliated with the party, if any, in which the nomination is proposed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1304, with instructions to amend, respectfully reports the same back, amended as per instructions.

ARBUCKLE, Committee.

Report read, and on motion of Senator West, adopted.

Bill ordered to print.

Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1052 passed by the following vote:

AYES—Senators Boggs, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rush, Sharkey, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 277—An act to repeal section 3a of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 277 passed by the following vote:

AYES—Senators Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rush, Sharkey, Slater, Swing, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 552 passed by the following vote:

AYES—Senators Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sharkey, Slater, Swing, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Lyon, Assembly Bill No. 1357 was taken from the file and ordered re-referred to Committee on Education.

Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1376 passed by the following vote:

AYES—Senators Breed, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Osburn, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Nelson, Assembly Bill No. 794 was taken from the file and ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 466—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 466 passed by the following vote:

AYES—Senators Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osburn, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 23.

Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California.

WHEREAS, The beaches along the coast of California are among the most desirable pleasure places in the State and furnish a means of recreation to a great many people; and

WHEREAS, There is at the present time a great prevalence of crude oil and petroleum in the waters along such beaches which is washed up on and scattered along the beaches themselves making them undesirable for pleasure purposes and preventing their use and enjoyment; and

WHEREAS, The value and desirability of maintaining such beaches in a condition in which they may be used for pleasure purposes by the people of the State is a matter of concern to the entire State and has already been recognized by the Legislature by a provision of the act of 1921 reserving minerals in State lands which prohibits the leasing of tidelands in front of an incorporated city and for a mile on either side for the purpose of drilling for oil; now, therefore, be it

Resolved by the Assembly, the Senate concurring. That the Surveyor General of this State be and hereby is authorized and directed to make a complete survey and investigation of such situation and to determine the causes for the presence of such crude oil or petroleum on the beaches and to arrive, if possible, at a method for preventing the same; and be it further

Resolved. That the Surveyor General shall make a full and complete report of his findings with all data so obtained to the Governor of this State together with any plans and suggestions he may deem expedient.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Assembly Concurrent Resolution No. 23 ordered transmitted to the Assembly.

Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 174 passed by the following vote:

AYES—Senators Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 732 passed by the following vote:

AYES—Senators Arbuckle, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—29.

NOES—Senators Carr, Hughes, Hurley, Inman, and Rush—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF VOTE OF SENATOR INMAN ON ASSEMBLY BILL NUMBER SEVEN HUNDRED THIRTY-TWO.

The author, through Senator Eden, makes the statement that there is no purpose at any time to ask for an appropriation for the support of the proposed so-called "Southern California State Fair." I venture the prediction that within two years a request will be made for such an appropriation.

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Arbuckle moved to refer Assembly Bill No. 738 to Senator West, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5 of the amended printed bill, amended in the Senate May 15, 1923, in lines 12 and 13, strike out the words "or like motor carriers" and insert in lieu thereof the following: "drays, transfer vehicles and other like city motor vehicles".

AMENDMENT NUMBER TWO.

On page 5, of the amended printed bill, strike out all of line fifteen after the word "vehicles" and all of lines sixteen, seventeen, eighteen, nineteen and twenty, and insert in lieu thereof a period.

AMENDMENT NUMBER THREE.

On page 5, of the printed amended bill, on line 38, strike out the period after the word "repealed" and in lieu thereof insert a semicolon and the following: "*provided, however, that nothing herein shall be construed as affecting or repealing the provisions of an act entitled 'An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the railroad commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act,' approved May 10, 1917, as amended.*"

SEC. 13. This act shall be and become effective January 1, 1924."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 738, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator Arbuckle, adopted.

Bill ordered to print.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1051 to Senator Swing as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 37, of the printed amended bill, after the word "products" insert "and dairy products".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1051, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McDonald moved to refer Assembly Bill No. 251 to Senator Godsfil as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out the words "Any of the following sections in this title" and insert in lieu thereof the following: "All of the sections of this code".

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following:

"Where the contest is initiated for the purpose of determining the illegality of any proposition or measure submitted to the electors at any state wide election, the person or persons initiating such contest after filing said contest shall serve all pleadings, notices and orders upon the attorney general and the said attorney general shall defend said action or proceeding on behalf of the State of California. The person or persons initiating such contest shall immediately notify the governor of the state of the filing of such contest and thereupon the governor shall certify the fact of such contest to the superior courts of the state in and for the city and county, or county, in which such contest is initiated and such courts shall thereupon immediately proceed to determine such contest and the district attorney of each county shall defend such contest on behalf of the State of California. The superior courts shall certify the result of such contest to the secretary of state who shall upon receipt of the certified results from such superior courts, officially declare the results of such contest. The costs of such contest shall be paid by the person or persons initiating such contest."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 251, with instructions to amend, respectfully reports the same back, amended as per instructions.

GODSIL, Special Committee.

Report read, and on motion of Senator McDonald, adopted.

Bill ordered to print.

Assembly Bill No. 211—An act to amend sections 363, 363a, 363c and 363h of the Political Code, relating to the Department of Public Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 211 passed by the following vote:

AYES—Senators Arbeckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 16, 1923.

To the Senate of the State of California.

GENTLEMEN: I have this day appointed the following persons as members of the Board of Regents of the University of California:

Mrs. Margaret Sartori, vice self, term expired;

Alden Anderson, vice Rudolph Taussig, deceased;

P. E. Bowles, vice self, term expired;

I respectfully ask your honorable body to consent to the above named appointments.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

Referred to Committee on Rules.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: Your Committee on Rules, to which was referred a communication from Governor F. W. Richardson, reading as follows:

SACRAMENTO, CALIFORNIA, May 16, 1923.

To the Senate of the State of California.

GENTLEMEN: I have this day appointed the following persons as members of the Board of Regents of the University of California:

Mrs. Margaret Sartori, vice self, term expired;

Alden Anderson, vice Rudolph Taussig, deceased;

P. E. Bowles, vice self, term expired;

I respectfully ask your honorable body to consent to the above named appointments.

Respectfully submitted,

(Signed)

FRIEND WM. RICHARDSON, Governor.

Has had the same under consideration, and respectfully reports the same back, and recommends that the Senate advise and consent to the several appointments.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The President put the question, "Will the Senate advise and consent to the appointment of Mrs. Margaret Sartori, a member of the State Board of Regents of the University of California, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, A. B., Jones, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Mrs. Margaret Sartori, a member of the State Board of Regents of the University of California, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Alden Anderson, a member of the State Board of Regents of the University of California, vice Rudolph Taussig, deceased?"

The roll was called with the following result:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing and West—29.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Alden Anderson, a member of the State Board of Regents of the University of California, vice Rudolph Taussig, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of P. E. Bowles, a member of the State Board of Regents of the University of California, vice self, term expired?"

The roll was called with the following result:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of P. E. Bowles, a member of the State Board of Regents of the University of California, vice self, term expired.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 285 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 608—An act regulating the sale and use of poisons in the State of California; providing penalties for the violation thereof; and repealing all acts and parts of acts in conflict with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Lewis moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.

The Secretary announced the absentees.

Time, eleven o'clock and thirty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER THE CALL OF SENATE.

Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1110 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1111—An act to amend section 19 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1111 refused passage by the following vote:

AYES—Senators Arbuckle, Breed, Carr, Chamberlin, Creighton, Eden, Gates, E. J., Godsil, Hart, Johnson, A. B., Johnson, M. B., Lyon, McDonald, Osborne, Rominger, Rush, Sample, Swing, and West—19.

NOES—Senators Boggs, Burnett, Canepa, Crowley, Dennett, Gates, Dr., Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Jones, Lewis, Murphy, Nelson, Powers, and Slater—19.

Assembly Bill No. 1338—An act to add a new article to chapter 3 of title I of part 3 of the Political Code, to be numbered article 27, embracing sections 365 to 365c, both inclusive, relating to the California Highway Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1338 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, and West—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 154—An act relating to employment where the work is to be performed outside of this State by persons hired within this State; prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 154 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILLS.

On motion of Senator Gates, E. J., Assembly Bills Nos. 609, 642, and 643 were taken from the file and ordered re-referred to Committee on Finance.

Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Canepa, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County to be known as the G. H. Douglas Bridge and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 60 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the superior court of Los Angeles County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 165 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 188 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 309 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines as executor against the State of California.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 435 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 436 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 672—An act making an appropriation to pay the claim of E. A. Wheeler, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 672 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 673—An act appropriating money to pay the claim of the Clark and Henry Construction Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 673 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669a of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 855 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669a of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 856 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 73732, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1019 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 437 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 441 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 738e, relating to the salary of superior judges in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 498 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 638 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 641—An act making an appropriation to pay the claim of the B. F. Coulter Association, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 641 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 669 passed by the following vote.

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 670 passed by the following vote.

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis,

Lyon, McDonald, Murphy, Nelson, Powers, Rominger, Rush, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais Forest Fire District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 114 passed by the following vote.

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 451 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1009 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1320 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1332 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Chamberlin, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1041 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 849 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041a, relating to boards of supervisors.

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 654 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Slater, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 348 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 936 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 937—An act to amend sections 927*c* and 927*l* of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 937 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1021 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure, relating to undertaking on appeal in justice's court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 206 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party.

Assembly Bill No. 1352 passed on file.

Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 922 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Lewis, McDonald, Murphy, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981a, relating to dismissal of appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 806—An act to amend an act entitled “An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State,” approved May 12, 1921, and to provide in addition for training in accident prevention.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 806 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 491 to Senator Osborne, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word “ninety” and insert in lieu thereof the word “thirty”.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 491, with instructions to amend, respectfully reports the same back, amended as per instructions.

OSBORNE, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print, and re-engrossment.

Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 721 to Senator Osborne, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word “ninety” and insert in lieu thereof the word “thirty”.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 721, with instructions to amend, respectfully reports the same back, amended as per instructions.

OSBORNE, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print, and re-engrossment.

Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 986 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608a, relating to school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1369 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, and Slater—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 934—An act to amend sections 362a, 362b, 362c and 362d of the Political Code, relating to the Department of Education.

Assembly Bill No. 934 passed on file.

Assembly Bill No. 1127—An act to amend sections 7 and 14 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal

all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1127 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Assembly Bill No. 1378 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "three" and in lieu thereof insert the word "four".

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1378, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley adopted.

Bill ordered to print, and re-engrossment.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature.

Assembly Constitutional Amendment No. 25 passed on file.

Assembly Bill No. 980—An act relating to boards and commissions holding under appointment of the government.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 980 passed by the following vote:

AYES—Senators Arbuckle, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lyon, McDonald, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—Senators Boggs, Canepa, Crowley, Dennett, Harris, Inman, Jones, Lewis, Murphy, and Nelson—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 191 passed by the following vote:

AYES—Senators Arbuttle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, and Slater—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921.

Assembly Bill No. 1045 passed on file.

Assembly Bill No. 869—An act to amend section 5 of, and to add a new section, to be numbered 7a, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,'" and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee," and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911," approved May 26, 1917, as amended," approved June 3, 1921."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 869 passed by the following vote:

AYES—Senators Arbuttle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 248—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 248 passed by the following vote:

AYES—Senators Arbuckle, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1309.—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1309 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 546.—An act to amend section 607*e* of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 546 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Dennett, Eden, Gates, Dr., Godsfil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 703.—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof.

Assembly Bill No. 703 passed on file.

Assembly Bill No. 1344.—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1344 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED NINETY-TWO.

Senator Canepa asked for and was granted unanimous consent to take up Senate Bill No. 392.

Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those license, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners; to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 3, line 36, of the printed bill, strike out the period and in lieu thereof insert the following: " : *provided*, that after January 1, 1924, the applicant shall present to the board satisfactory evidence of the completion of a one year course of college grade on the subjects of physics, chemistry and biology before commencing the study of medicine."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 392?"

The roll was called, and Assembly amendment to Senate Bill No. 392 concurred in by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Senate Bill No. 392 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 813 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram,

Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and Swing—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 979 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1343 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1312 passed by the following vote:

AYES—Senators Arbuckle, Burnett, Canepa, Chamberlin, Crowley, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, and West—28.

NOES—Senators Dennett, Lewis, and McDonald—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 601—An act to repeal section 626*a* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 934—An act to amend sections 362*a*, 362*b*, 362*c* and 362*d* of the Political Code, relating to the Department of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 934 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 237 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health department; to enable the State Board of

Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1044 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Canepa, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 102 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 217 passed by the following vote:

AYES—Senators Atchick, Boggs, Canova, Crowley, Dennett, Eden, Gates, Dr. Galsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737*p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 226 passed by the following vote:

AYES—Senators Atchick, Boggs, Bennett, Canova, Chamberlin, Crowley, Dennett, Eden, Gates, Dr. Galsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 380—An act appropriating money for expenditure as directed by the Division of Water Rights of the Department of Public Works of the State of California in aiding the Department of Interior of the United States in stream gaging work in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 380 passed by the following vote:

AYES—Senators Atchick, Boggs, Bennett, Canova, Crowley, Dennett, Eden, Gates, Dr. Galsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 402 passed by the following vote:

AYES—Senators Atchick, Boggs, Bennett, Canova, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Galsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B. Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 484 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 73722, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1017 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1058 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College at Fresno.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1084 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Burnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1370.—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1370 passed by the following vote:

AYES.—Senators Atchuck, Boggs, Barnett, Canepa, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Goidl, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Jones, Lyon, McDonald, Murphy, Osborn, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—31.

NOES.—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lewis.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 608 refused passage by the following vote:

AYES.—Senators Atchuck, Boggs, Chamberlin, Dennett, Eden, Handy, Harris, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, Nelson, Rush, and West—16.

NOES.—Senators Broad, Barnett, Canepa, Creighton, Crowley, Gates, Dr., Gates, E. J., Goidl, Gray, Hart, Handy, Inman, Johnson, A. B., McDonald, Murphy, Osborn, Powers, Rominger, Sample, Sharkey, Slater, and Swing—22.

ADJOURNMENT.

At eleven o'clock and fifty minutes p.m., on motion of Senator Jones, the President declared the Senate adjourned until eleven o'clock, Friday, May 18.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, May 18, 1923.

The Senate met at eleven o'clock a.m.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Assistant Secretary G. Melvin Warren at the desk.

The roll was called, and the following members answered to their names:

Senators Aitch, Atchuck, Boggs, Broad, Barnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Goidl, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborn, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. William E. Harrison.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 17, 1923, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Horace H. Breed, and wife, son and daughter-in-law of Senator Arthur H. Breed, President pro tempore.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Senior Vocations Class of Sacramento High School:

Teacher—E. C. Overholtzer. Pupils—Genevieve Waite, Helen Phayer, Kenneth Curtright, Marion Hollingsworth, Vola Anchor, Bill Wood, Edloe Book, Ed Brown, Ed Haas, Jack Maleville, Jack Westlake, Donald Fletcher, Milburn Mills, Wallace Ernst, Gladys Lowell, Roy Wilson, and Norton Swett.

RESOLUTIONS.

The following resolution was offered:

By Committee on Contingent Expenses:

WHEREAS, The provisions of the State Tenement House Act, the State Hotel and Lodging House Act and the State Dwelling House Act have been combined in an act entitled the State Housing Act, enacted by Senate Bill No. 29, which act changes the provisions of said three acts very materially and which bill has passed both houses of the Legislature and is now about to be transmitted to the Governor; and

WHEREAS, It is very necessary that the architects, contractors and builders of the State of California have accurate knowledge of the building laws of the State at the time the buildings are designed and the estimates of cost are made upon which the contracts are based; and

WHEREAS, Municipal authorities from past experience are known not to publish such housing laws in pamphlet form for a long time after they are on the statute books, if at all; therefore be it

Resolved, That the State Printer be and he is hereby directed to print five thousand copies of said State Housing Act, together with a cover, an index and section headings and a short commentary thereon by Senator Burnett; and be it further

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the contingent fund of the Senate in favor of the State Printer and the State Treasurer is hereby ordered to pay the same, for the sum of \$200 or so much thereof as may be necessary, in payment of the cost of such printing and publication.

Such publication is only to be made in case Senate Bill No. 29, known as the State Housing Act, passed by this session of the Legislature, is signed by the Governor of California.

LEWIS, Chairman.
CREIGHTON.
SWING.

Recommend be adopted.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following

vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Powers, Rominger, Rush, Sample, Slater, Swing, and West—33.

NOES—None.

Also:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant on the contingent fund of the Senate in the sum of \$26.70, in favor of the Secretary of the Senate, in payment of the following items:

| | |
|---|---------|
| Hart's Lunch, Inc.— | |
| 50 Fried ham sandwiches at 15 cents each | \$7 50 |
| 75 Boiled ham sandwiches at 10 cents each | 7 50 |
| 75 Cheese sandwiches at 10 cents each | 7 50 |
| 6 Gallons coffee at 70 cents per gallon | 4 20 |
| Total | \$26 70 |

LEWIS, Chairman.
CREIGHTON,
SWING.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Godsil, Handy, Harris, Hart, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Powers, Rominger, Rush, Sample, Slater, and West—29.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly refused passage to Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to compensation and travel expenses of water masters.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a conference committee on Assembly Bill No. 1166 the following Assemblymen: Kline, Hornblower, and Spence—to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Joint Resolution No. 10 relating to protection of forests from fire.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 3—An act to add a new section to the Civil Code to be numbered 3051a, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said Code.

Also: Assembly Bill No. 38—An act to amend section 953c of the Code of Civil Procedure, relating to record on appeal.

Also: Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class;

Also: Assembly Bill No. 318—An act to amend section 20 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of state improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to be used by the California Highway Commission for the construction and improvement of the Mother Lode highway, leading from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County and to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, creating the Mother Lode highway fund, specifying the work, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 711—An act to amend section 208 of the Penal Code, relating to kidnapping:

Also: Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education;

Also: Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock;

Also: Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties;

Also: Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended" by adding a new section thereto to be numbered section 64;

Also: Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education;

Also: Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction of any part thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 740 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 18—An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances;

Also: Senate Bill No. 296—An act to amend section 52 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended:

Also: Senate Bill No. 452—An act to amend section 7 of, and to add a new section to be numbered 2a to, an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended:

Also: Senate Bill No. 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 18, 296, 452, and 737 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 732—An act to amend section 1195a of the Political Code relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors:

Also: Senate Bill No. 429—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4:

Also: Senate Bill No. 13—An act to amend section 3247 of the Political Code relating to preference on public contracts and furnishing supplies.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Senate Bills Nos. 732, 429 and 13 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to the following:

Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a:

Also: Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act:

Also: Senate Bill No. 537—An act to amend sections 2 and 50a of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 447—An act creating the Peninsula Development Board, conferring certain powers thereon and providing for the exercise thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FORTY-SEVEN.

Senator Johnson, M. B., asked for and was granted unanimous consent to take up Senate Bill No. 447.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 447—An act creating the Peninsula Development Board, conferring certain powers thereon and providing for the exercise thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FORTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, strike out the word "district" and insert in lieu thereof the word "board".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 447?"

The roll was called, and Assembly amendment to Senate Bill No. 447 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Inman, Johnson, M. B., Murphy, Nelson, Osborne, Rominger, Sample, Slater, and Swing—25.
NOES—None.

Senate Bill No. 447 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362f, relating to the powers of the State Department of Education—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FORTY-FIVE.

Senator Powers asked for and was granted unanimous consent to take up Senate Bill No. 445.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362f, relating to the powers of the State Department of Education.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FORTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, beginning with the word "When", strike out the entire sentence ending on line 12, and insert in lieu thereof the following reading matter: "When the department fixes the price of any publication, it shall specify the class of persons or institutions that may receive copies of the same free of charge."

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the following reading matter: "city, or", and insert in lieu thereof the word "any".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 445?"

The roll was called, and Assembly amendments to Senate Bill No. 445 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Chamberlin, Creighton, Crowley, Dennett, Eden, Godsil, Handy, Harris, Hart, Hughes, Hurley, Johnson, M. B., Murphy, Osborne, Rominger, Sample, Slater, and Swing—22.

NOES—None.

Senate Bill No. 445 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921 and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED NINETY.

Senator Murphy asked for and was granted unanimous consent to take up Senate Bill No. 590.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED NINETY.

AMENDMENT NUMBER ONE.

In line 3 of the printed bill, after the word "repealed", add "except as to claims for expenditures incurred in accordance with law prior to June 30, 1923."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 590?"

The roll was called, and Assembly amendment to Senate Bill No. 590 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Johnson, M. B., Murphy, Nelson, Osborne, Rominger, Sample, Slater, and Swing—22.

NOES—None.

Senate Bill No. 590 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED NINETY-SIX.

Senator Godsil asked for and was granted unanimous consent to take up Senate Bill No. 696.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED NINETY-SIX.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended May 10, strike out lines 15 and 16 and on page 2 strike out lines 1 to 30, inclusive, and insert in lieu thereof the following: "Sec. 5. It shall be unlawful for any person, firm or corporation to buy or sell or receive or use any kind or species of food fish for the manufacture of fish oil, fish meal, or other fishery bi-products: *provided*, that any person, firm or corporation engaged in the business of taking, catching, or dealing in fresh fish or fishery products thereof for human consumption, or any person, firm or corporation engaged in the business of canning, packing, preserving or selling fish for human consumption, desiring to sell or deliver to or use in a reduction plant or a plant manufacturing fish oil or fish meal or other bi-products any fish except fish offal, shall file an application in writing with the fish and game commission, setting forth the kind or species and the quantity of fish to be sold, delivered or used for any purpose other than canning, packing and preserving for human consumption, and upon said application being filed said commission shall fix a time and place for hearing upon said application, which shall not be more than twenty days from the date of filing said application with said fish and game commission. A notice of the time and place of said hearing shall be served on said applicant at least two days before said hearing which shall be held in the county in which the plant or place of business of said applicant is located. At such time and place designated in said notice testimony under oath shall be taken by any member of the board of fish and game commissioners or any assistant or employee designated by them, who shall have power to administer oaths, take affidavits and issue subpoenas for the attendance of witnesses.

If after hearing evidence upon said application it shall appear that there is no market for the fish referred to in said application and that the taking or using of said fish in a reduction plant or in the manufacture of fish oil or fish meal or other bi-products will not tend to impair or deplete said species of fish, an order may be made by the board of fish and game commissioners granting the privilege to take, catch, sell or deliver to a reduction plant, or use in a reduction plant in the manufacture of fish oil or fish meal or other bi-products, not more than ten per cent of whole fish received during any calendar week by any canning, packing or preserving plant while actually engaged in canning, packing or preserving fish for human consumption.

Said order shall not be granted for a period longer than a seasonal run of said kind or species of fish mentioned in said order.

No person, firm or corporation engaged in the canning, packing or preserving of fish for human consumption shall receive or accept more fish than such canning, packing and preserving plant can can, pack or preserve for human consumption at the time and with the equipment actually in operation at the time any fish are received."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill as amended May 10 strike out lines 40 to 53, inclusive, and on page 3 strike out lines 1 to 34, inclusive, and insert in lieu thereof the following:

"Sec. 6. Complaint may be made by any officer charged with the enforcement of the fish and game laws or any person having knowledge of a violation, against any

person, firm or corporation violating any of the provisions of this act or violating any of the rules or regulations made by the fish and game commissioners under the provisions of this act. Said complaints shall be in writing setting forth the particular offense charged to have been committed, a copy of which shall be filed with the board of fish and game commissioners and a copy served on said person, firm or corporation charged, together with a notice of time and place of hearing, which hearing must be held in the county in which said violation was alleged to have been committed. Said complaint and notice must be served not less than five days before the date of hearing. The person, firm or corporation may make an oral or file a written answer to said charge any time before or at the time of said hearing or if the person, firm or corporation fails to appear and answer the board of fish and game commissioners or a commissioner or any assistant or any employee appointed by the board of fish and game commissioners, may proceed to take testimony offered by either party. If the testimony is taken by a commissioner, an assistant or an employee, said testimony must be submitted to said board of fish and game commissioners and if the person, firm or corporation is found guilty of the charges made in said complaint the board of fish and game commissioners may suspend for a period not to exceed six months any license issued by any state board or officer to such person, firm or corporation to take, catch, buy, sell, can, pack or preserve fish or manufacture fishery bi-products, and should the license of such person, firm or corporation expire before said period of suspension no new license shall be issued during the period of suspension, and during the period of suspension the canning, packing or preserving plant or plants or the plant or plants for the manufacture of fish oil, fish meal or other bi-products, shall not be used by said offending licensee or any other person, firm or corporation for the canning, packing or preserving of fish for human consumption or the manufacture of fish oil, fish meal or other bi-products."

AMENDMENT NUMBER THREE.

On page 3 of the printed bill as amended May 10, in line 44 after the word "court" insert the following: "of the county".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 696?"

The roll was called, and Assembly amendments to Senate Bill No. 696 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater and Swing—27.

NOES—None.

Senate Bill No. 696 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THIRTY-ONE.

Senator Hurley asked for and was granted unanimous consent to take up Senate Bill No. 531.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED THIRTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "nor more than", and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the comma after the word "day" and insert in lieu thereof the following: "or more than forty-eight hours in any one calendar week".

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, after the word "hours", insert the following: "in any one calendar day or more than forty-eight hours in any one calendar week".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 531?"

The roll was called, and Assembly amendments to Senate Bill No. 531 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B. Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Slater, and Swing—28.

NOES—None.

Senate Bill No. 531 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 488—An act to amend sections 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i, and 2322j of the Political Code, relating to agriculture—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-EIGHT.

Senator Osborne asked for and was granted unanimous consent to take up Senate Bill No. 488.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 488—An act to amend sections 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i, and 2322j of the Political Code, relating to agriculture.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED EIGHTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 12, of the printed bill as amended in the Assembly May 7, 1923, strike out all of line 23 after the word "dollars" and lines 24 to 28, both inclusive, and in lieu thereof insert a period.

AMENDMENT NUMBER TWO.

On page 10, line 2, of the printed bill, after the word "thousand" insert the words "four hundred".

AMENDMENT NUMBER THREE.

On page 6, line 44, of the printed bill, strike out the words "six hundred".

AMENDMENT NUMBER FOUR.

On page 6, line 51, of the printed bill, strike out the words "two hundred and twenty" and in lieu thereof insert the words "one hundred".

AMENDMENT NUMBER FIVE.

On page 7, line 2, of the printed bill, strike out the word "four" and in lieu thereof insert the word "nine".

AMENDMENT NUMBER SIX.

On page 7, line 3, of the printed bill, strike out the word "sixty" and in lieu thereof insert the word "fifty".

AMENDMENT NUMBER SEVEN.

The page 7, line 7, of the printed bill, strike out the word "that" and so the words "that" and "and" shall be inserted.

AMENDMENT NUMBER EIGHT.

The page 7 of the printed bill, strike out lines 7 and 8 and so the words "and" shall be inserted.

AMENDMENT NUMBER NINE.

The page 18 of the printed bill, as amended April 11, 1923, in lines 17 and 18 strike out the words "and" and insert the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TEN.

The page 18 line 20 of the printed bill as amended April 11, 1923, strike out the words "and" and insert the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER ELEVEN.

The page 18 line 24 of the printed bill as amended April 11, 1923, strike out the words "that" and insert the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TWELVE.

The page 18 line 27 and 28 of the printed bill as amended April 11, 1923, strike out the words "and" and insert the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER THIRTEEN.

The page 18 of the printed bill, as amended April 11, 1923, strike out lines 29, 30, 31, 32 and 33.

AMENDMENT NUMBER FOURTEEN.

The page 11 line 25 of the printed bill, strike out the words "and" and insert the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER FIFTEEN.

The page 11 line 27 of the printed bill, strike out the words "and" and insert the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER SIXTEEN.

The page 7 line 10 of the printed bill, strike out the words "that" and so the words "that" shall be inserted.

AMENDMENT NUMBER SEVENTEEN.

The page 17 of the printed bill, strike out all of line 18 commencing with the word "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER EIGHTEEN.

The page 12 line 10 of the printed bill, strike out the word "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER NINETEEN.

The page 10 line 2 of the printed bill, strike out the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TWENTY.

The page 1 line 48 of the printed bill, strike out the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TWENTY-ONE.

The page 11 line 11 of the printed bill, strike out all of line 11 and insert the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TWENTY-TWO.

The page 1 line 20 of the printed bill, strike out the word "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TWENTY-THREE.

The page 1 line 22 of the printed bill, strike out the word "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TWENTY-FOUR.

The page 18 line 14 of the printed bill, strike out the words "and" and so the words "and" shall be inserted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 19, line 5, of the printed bill, strike out the semicolon after the word "employed" and insert in lieu thereof the following: "; but the aggregate amount which may be expended in any year for such commissioner shall not exceed eighteen hundred dollars;".

AMENDMENT NUMBER TWENTY-SIX.

On page 12, line 2, of the printed bill, after the word "of", strike out all of lines 2, 3, 4 and 5 to the semicolon (;) and insert in lieu thereof the words "twenty-one hundred dollars per annum, which shall be in full for all services rendered including traveling expenses".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 11, strike out the comma after the word "employed" and insert a period, and strike out the balance of (a).

AMENDMENT NUMBER TWENTY-EIGHT.

On page 12 of the printed bill, as amended April 11, 1923, strike out all of line 35 following the word "missioner", all of lines 36 to 41, both inclusive, and insert in lieu thereof the following: "one inspector, to be appointed by said commissioner, which position is hereby created, and whose salary is hereby fixed as follows, to wit:

(a) One inspector at a compensation of three dollars and a half per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such inspector shall not exceed two hundred fifty dollars; *provided, further*, that in counties of this class the salaries herein provided for the said commissioners and inspector shall be in full for all services rendered and they shall not be entitled to, nor shall they receive, any further compensation for personal or traveling expenses."

AMENDMENT NUMBER TWENTY-NINE.

On page 11 of the printed bill, strike out lines 14 to 33, both inclusive, and in lieu thereof insert the following:

"25. In the counties of the twenty-fourth class, the commissioner shall receive a salary of twenty-four hundred dollars per annum, which shall be payment in full for all services rendered and expenses incurred in the performance of the duties of horticultural commissioner; *provided*, that in counties of this class there shall be allowed to the commissioner the following inspectors and clerk, to be appointed by the commissioner, which positions are hereby created, and at the salaries as hereby fixed, to wit:

(a) Three inspectors, at a compensation of four dollars per day each, during such time as actually employed, but the aggregate amount which may be expended for all such inspectors in any one year shall not exceed the sum of two thousand four hundred dollars.

(b) One clerk, at a compensation of ten dollars per month, during such time as actually employed, but not to exceed the sum of one hundred twenty dollars per year".

AMENDMENT NUMBER THIRTY.

On page 17 of the printed bill, strike out lines 22 to 35, both inclusive, and in lieu thereof insert the following:

"44. In counties of the forty-third class, the commissioner shall receive a salary of two thousand four hundred dollars per annum, which shall be payment in full for all services rendered and expenses incurred in the performance of the duties of the commissioner; *provided*, that in counties of this class, there shall be allowed to the commissioner the following inspectors and clerk, to be appointed by the commissioner, which positions are hereby created, and at the salaries as hereby fixed, as follows, to wit:

(a) Two inspectors, at a compensation of four dollars per day each, during such time as actually employed, but the aggregate amount which may be expended for all such inspectors in any one year shall not exceed the sum of fifteen hundred dollars.

(b) The commissioner is also authorized and empowered to appoint one clerk, at a monthly salary of sixty dollars, during such time as actually employed, but not to exceed the sum of seven hundred twenty dollars per year."

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 15, of the printed bill, strike out the words "six hundred".

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 21, of the printed bill, strike out the word "Two" and in lieu thereof insert the word "One".

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 21, of the printed bill, strike out the word "commissioners" and in lieu thereof insert the word "commissioner".

AMENDMENT NUMBER THIRTY-FOUR.

On page 6, line 22, of the printed bill, strike out the word "four" and insert in lieu thereof the word "one".

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 25, of the printed bill, strike out the word "seventy-five" and in lieu thereof insert the word "fifty".

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 26, of the printed bill strike out the word "seven" and insert in lieu thereof the word "thirteen".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 27, of the printed bill, strike out the word "sixty-five" and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 28, of the printed bill, after the comma strike out all of lines 28, 29, 30 and 31 and insert in lieu thereof "thirty-five inspectors at a".

AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 35, of the printed bill, strike out all of line 35 and insert in lieu thereof "sixty-three thousand dollars".

AMENDMENT NUMBER FORTY.

On page 16, line 48, of the printed bill, after the comma following the word "annum", strike out all of the matter up to the semicolon in line 50, and insert in lieu thereof the words "together with the amount of his actual traveling expenses."

AMENDMENT NUMBER FORTY-ONE.

On page 16, line 52, of the printed bill, strike out the word "inspectors" and insert in lieu thereof the word "inspector."

AMENDMENT NUMBER FORTY-TWO.

On page 17, line 3, of the printed bill, strike out the word "two" and insert in lieu thereof the word "one."

AMENDMENT NUMBER FORTY-THREE.

On page 17, line 4, strike out the word "each."

AMENDMENT NUMBER FORTY-FOUR.

On page 17, after the word "for" in line 5, strike out the words "all such inspectors" and insert in lieu thereof the words "such inspector."

AMENDMENT NUMBER FORTY-FIVE.

On page 17 of the printed bill, strike out all of lines 8, 9, 10 and 11.

AMENDMENT NUMBER FORTY-SIX.

On page 11, line 29, of the printed bill, after the word "annum", strike out the comma and the balance of the bill to the semicolon, and insert in lieu thereof the words "and eight cents per mile one way for every mile actually traveled in the performance of his duty as commissioner."

AMENDMENT NUMBER FORTY-SEVEN.

On page 11, line 38, of the printed bill, after the word "office", add the words "of commissioner."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 488?"

The roll was called, and Assembly amendments to Senate Bill No. 488 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Rominger, Rush, Sample, and Slater—28.

NOES—None.

Senate Bill No. 488 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-FIVE.

Senator Inman asked for and was granted unanimous consent to take up Senate Bill No. 465.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-FIVE.

AMENDMENT NUMBER ONE.

On page 3, line 3, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following reading matter: "provided that elementary school districts not employing a superintendent shall select teachers only from an approved list provided by the county superintendent of schools."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 465?"

The roll was called, and Assembly amendment to Senate Bill No. 465 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Murphy, Nelson, Osborne, Rominger, Rush, Sample, and Slater—25.

NOES—None.

Senate Bill No. 465 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add one new section to be numbered 1a to, and to repeal section 25 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-ONE.

Senator Gates, E. J., asked for and was granted unanimous consent to take up Senate Bill No. 461.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add two new sections to be numbered 1a and 10a to, and to repeal section 25 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production: providing for the appointment of a State Oil and Gas Supervisor: prescribing his duties and powers: fixing his compensation: providing for the appointment of deputies and employees: providing for their duties and compensation: providing for the inspection of petroleum and gas wells: requiring all persons operating petroleum and gas wells to make certain reports: providing procedure for arbitration of departmental rulings: creating a fund for the purposes of the act: providing for assessment of charges to be paid by operators and providing for the collection thereof: and making an appropriation for the purposes of this act." approved June 10, 1915, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-ONE.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the words "two new sections" and insert in lieu thereof the following: "one new section".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill strike out the words "and ten a".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill strike out lines 9 to 17, both inclusive.

AMENDMENT NUMBER FOUR.

On page 4, line 18, of the printed bill, strike out the number "10a" and insert in lieu thereof the number "10".

AMENDMENT NUMBER FIVE.

On page 5, line 40, of the printed bill, strike out the number "S" and insert in lieu thereof the number "7".

AMENDMENT NUMBER SIX.

On page 5, line 42, of the printed bill, strike out the number "9" and insert in lieu thereof the number "8".

AMENDMENT NUMBER SEVEN.

On page 6, line 23, of the printed bill, strike out the following: "Sec. 10" and insert in lieu thereof the following: "Sec. 9".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 461?"

The roll was called, and Assembly amendments to Senate Bill No. 461 concurred in by the following vote:

AYES—SENATORS Allen, Arbuttle, Boggs, Breed, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Harris, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Sample, and Slater—26.

Senate Bill No. 461 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits - and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk,

By L. E. EUSTICE, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-FIVE.

Senator Dennett asked for and was granted unanimous consent to take up Senate Bill No. 165.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED AND SIXTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "proceeding" insert the words "except to prove a will".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 165?"

The roll was called, and Assembly amendment to Senate Bill No. 165 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Creighton, Crowley, Dennett, Edna, Gates, Dr. Gates, E. J., Godsil, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rominger, Slater, and West—28.

NOES—None.

Senate Bill No. 165 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such non-applied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the attorney general, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, by amending sections 1, 6, 7, 16, 17, 18, 19, 20a, 34, 35, 36, 36a, 36c, 36d, 37 and 37c thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SEVENTY EIGHT

Senator Demmett asked for and was granted unanimous consent to take up Senate Bill No. 478.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SEVENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill as amended in the Senate April 20, 1923, change the period, after the words "as amended" in the title, to a comma and add the following: "by amending sections 1, 6, 7, 16, 17, 18, 19, 20a, 34, 35, 36, 36a, 36c, 36d, 37 and 37c thereof."

AMENDMENT NUMBER TWO.

On page 8, line 32, of the printed bill, strike out the word "power" and insert in lieu thereof the word "water".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 478?"

The roll was called, and Assembly amendments to Senate Bill No. 478 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Creighton, Crowley, Dennett, Gates, Dr., Godsil, Handy, Harris, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—26.

NOES—None.

Senate Bill No. 478 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED NINE.

Senator Ingram asked for and was granted unanimous consent to take up Senate Bill No. 409.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED NINE.

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, after the word "gill" insert the following "or trammel".

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, after the word "gill" insert the following: "or trammel".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the word "season" and insert in lieu thereof the word "seasons".

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, after the word "net" insert the following: "provided, further, that any trammel net found in any boat at any time in fish and game district twelve shall be prima facie evidence that the owner of such net was using same in said fish and game district".

AMENDMENT NUMBER FIVE.

On page 2, line 40, of the printed bill, strike out the word "thirteen" following the word "eleven".

AMENDMENT NUMBER SIX.

On page 2, line 51, of the printed bill, after the word "twelve" insert the following: "and thirteen".

AMENDMENT NUMBER SEVEN.

On page 3, line 1, of the printed bill, after the letter "B" insert the following: "and thirteen".

AMENDMENT NUMBER EIGHT.

On page 3, line 6, of the printed bill, after the word "bill" insert the following: "or trustee".

AMENDMENT NUMBER NINE.

On page 3, line 14, of the printed bill, strike out the word "thirteen" following the word "eleven".

AMENDMENT NUMBER TEN.

On page 4, line 17, of the printed bill, after the word "five" insert the following: ", five 'A'".

AMENDMENT NUMBER ELEVEN.

On page 4, line 28, of the printed bill, after the word "five" insert the following: ", five 'A'".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 409?"

The roll was called, and Assembly amendments to Senate Bill No. 409 concurred in by the following vote:

AYES—Senators Allen, Arlucke, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B. Johnson, M. B. Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Slater, Swing, and West—31.

NOES—None.

Senate Bill No. 409 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 214—An act to amend section 626c of the Penal Code, relating to the protection of game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED FOURTEEN.

Senator Powers asked for and was granted unanimous consent to take up Senate Bill No. 214.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 214—An act to amend section 626c of the Penal Code, relating to the protection of game.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED FOURTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the engrossed bill, strike out the letter "i" following the word "twenty-six" and insert in lieu thereof the letter "e".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 214?"

The roll was called, and Assembly amendment to Senate Bill No. 214 concurred in by the following vote:

AYES—Senators Allen, Arlucke, Burnett, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Handy, Harris, Hart, Hughes, Hurley, Inman, Johnson, A. B. Johnson, M. B. Jones, Lyon, Murphy, Osborne, Powers, Rominger, Rush, Slater, Swing, and West—27.

NOES—None.

Senate Bill No. 214 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement

salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527a, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIFTY.

Senator Carr asked for and was granted unanimous consent to take up Senate Bill No. 450.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527a, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FIFTY.

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the words and numbers "August 1, 1923", and insert in lieu thereof the words and numbers "January 1, 1924".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 450?"

The roll was called, and Assembly amendment to Senate Bill No. 450 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Carr, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Godsil, Handy, Harris, Hart, Ingram, Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Rominger, Sample, Slater, and Swing—24.
 NOES—None.

Senate Bill No. 450 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
 By JAMES E. POWERS, Assistant Clerk.

CONSIDERATION OF SENATE BILL, NUMBER TWO HUNDRED TWELVE.

Senator Sharkey asked for and was granted unanimous consent to take up Senate Bill No. 212.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED TWELVE.

AMENDMENT NUMBER ONE.

On page 3, line 7, of the printed bill, strike out the period and in lieu thereof insert a comma and the following matter: "provided that in consolidated districts formed from union or joint union high school districts consisting of more than two elementary school districts not more than two members of the board of education shall be elected or appointed from any one of such elementary districts."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 212?"

The roll was called, and Assembly amendment to Senate Bill No. 212 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.
 NOES—None.

Senate Bill No. 212 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 329—An act to amend sections 258 and 259 of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure to be numbered 260, relating to the salary of court commissioners in counties of the first class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
 By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL, NUMBER THREE HUNDRED TWENTY-NINE.

Senator Gray asked for and was granted unanimous consent to take up Senate Bill No. 329.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 329—An act to amend sections 258 and 259 of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure, to be numbered 260, relating to the salary of court commissioners in counties of the first class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SEVENTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "the" and insert in lieu thereof the word "all".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, strike out the words "referee as" and insert in lieu thereof the following: "the referee".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, strike out the word "appointed" and insert in lieu thereof the word "designated".

AMENDMENT NUMBER FOUR.

On page 2, line 46, of the printed bill, strike out the words "such salary shall be" and all of lines 47 and 48 and insert in lieu thereof the following: "All fees charged and collected by him for the performance of official acts as herein provided, and all other compensation for his services otherwise fixed by law shall not be retained by him for his own use and benefit, but he shall account for and pay the same to the city and county or county treasurer in the same manner as provided by law in the case of county officers who charge and collect fees for official acts".

AMENDMENT NUMBER FIVE.

On page 3, line 3, of the printed bill, after the word "compensation" insert the following: "from the county".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 329?"

The roll was called, and Assembly amendments to Senate Bill No. 329 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Slater, Swing, and West—29.

NOES—None.

Senate Bill No. 329 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 478—An act to protect the public health by regulating the use of the X-ray or Roentgen ray; providing for the examination and registration of persons as radiographers by the State Board of Health; providing penalties for the violations hereof;

Also: Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class;

Also: Assembly Bill No. 521—An act to amend the title of chapter XI of title XIII of part I of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers;

Also: Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases;

Also: Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases;

Also: Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment; commitment, form of:

Also: Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts;

Also: Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado river, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency:

Also: Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject.

Also: Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for one hour each week.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 91—An act to add a new section to be numbered 19a to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921:

Also: Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921:

Also: Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, and 1773 of the Political Code; and to repeal sections 1774, 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State;

Also: Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations;

Also: Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bills Nos. 91, 292, 446, 634 and 695 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Senate Joint Resolution No. 14 - Relating to persons whose parents are ineligible to citizenship;

Also: Senate Joint Resolution No. 17—Relative to the increase of armament.

ARTHUR A. OHNIMUS, Chief Clerk,
By E. E. EUSTICE, Assistant Clerk.

Senate Joint Resolutions Nos. 14 and 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused adoption to Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to the following:

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1549a, 1620a, and 1543c, providing for the cooperative purchase of standard school supplies and equipment by school districts;

Also: Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California;

Also: Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 361—An act to prohibit the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game district nineteen and providing a penalty for the violation thereof and repealing all acts in conflict therewith.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 361 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts;

Also: Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court;

Also: Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 741, 745 and 747 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Constitutional Amendment No. 23 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond;

Also: Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation.

ARTHUR A. OHNIMUS, Chief Clerk.
By JAMES E. POWERS, Assistant Clerk.

ORDER EXPUNGING FROM RECORD.

The action taken on Senate Bill No. 157 when the Senate refused concurrence in Assembly amendments was accordingly ordered expunged from the record of the Senate.

SECRETARY JOSEPH A. BEEK AT THE DESK.

UNFINISHED BUSINESS.

Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1329 was refused passage by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Carr, Chamberlin, Eden, Gates, Dr., Gates, E. J., Hart, Johnson, A. B., Lewis, Lyon, Rominger, Sample, Sharkey, and Slater—16.

NOES—Senators Breed, Canepa, Creighton, Crowley, Dennett, Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Jones, McDonald, Murphy, Nelson, Osborne, Powers, Swing, and West—21.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee of Free Conference concerning Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—report that we have met a like Committee of the Assembly, consisting of Assemblymen Bromley, Dozier and C. C. Baker, and we report that the Committee of Free Conference have agreed to recommend the following: That the Assembly do recede from the amendments to said bill adopted by it and that the following amendments to the said bill, as it was adopted by the Senate, be adopted.

BREED, Chairman.
BROMLEY.
DOZIER.
GATES, E. J.
JOHNSON, M. B.

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, before the words "Pneumatic tires" insert "(a)".

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, after the period insert the following: "(b) 'Cushion tires.' All tires of the solid tire type whose resiliency is increased by means of air chambers or openings therein other than indentations in the tread or outer surface thereof extending entirely around the exterior periphery thereof."

AMENDMENT NUMBER THREE.

On page 2, line 41, of the printed bill, before the word "solid" insert "(a)",

AMENDMENT NUMBER FOUR.

On page 2, line 43, of the printed bill, after the period insert the following:
 "(b) "Cushion wheel." A wheel within the circumference of a larger wheel, and depending in part for its resiliency upon a strip or pad of rubber or similar resilient material situated between the outer circumference of a small wheel and the inner circumference of the larger wheel."

AMENDMENT NUMBER FIVE.

On page 5, line 9, of the printed bill, after the word "registration" strike out the comma and insert the words "and ownership".

AMENDMENT NUMBER SIX.

On page 6, line 4, of the printed bill, after the comma following the word "number" insert the following: "the year built."

AMENDMENT NUMBER SEVEN.

On page 7, line 16, of the printed bill, after the word "including" insert the following "the year built."

AMENDMENT NUMBER EIGHT.

On page 9, line 33, of the printed bill, after the period insert the following:
 "(g) Nothing in the foregoing subdivisions of this section shall prevent a legal owner from assigning his title or interest in or to a vehicle registered under the provisions of this act to another legal owner without the consent of and without affecting the interest of the holder of the certificate of registration thereof. Upon filing with the division of a certificate of ownership endorsed by the legal owner and a transferee of legal ownership, the division shall enter the name of the new legal owner upon the records of the division and shall issue a new certificate of ownership to the new legal owner in the form hereinbefore provided for original registration; upon so doing the division shall send to the registered owner a notice by mail of such action."

AMENDMENT NUMBER NINE.

On page 10, line 2, of the printed bill, strike out the word "thereafter" and insert in lieu thereof the word "thereafter".

AMENDMENT NUMBER TEN.

On page 11, line 9, of the printed bill, strike out the word "motor".

AMENDMENT NUMBER ELEVEN.

On page 11, line 20, of the printed bill, after the word "division" insert the following: "and on any other vehicle in plain sight and in the manner to be specified by the division."

AMENDMENT NUMBER TWELVE.

On page 12 of the printed bill, in line 38, in line 42, and in line 49, strike out the words "registration certificate" and insert in lieu thereof the words "certificate of registration or ownership."

AMENDMENT NUMBER THIRTEEN.

On page 14, lines 33 and 34, of the printed bill, strike out the following:
 "63. Examination of applicants.

64. What person shall not be licensed as operators or chauffeurs,"
 and insert in lieu thereof the following:

"63. Minimum age limit for operators and chauffeurs.

64. No new license to be issued during suspension or revocation."

AMENDMENT NUMBER FOURTEEN.

On page 14, line 52, of the printed bill, strike out "a pupil operator,".

AMENDMENT NUMBER FIFTEEN.

On page 15 of the printed bill, strike out all of lines 3 to 22, both inclusive, and insert in lieu thereof the following:

"SEC. 59. Application for license. Application to the division shall be made by every operator for an operator's license and by every chauffeur for a chauffeur's license except as herein otherwise provided."

AMENDMENT NUMBER SIXTEEN.

On page 16 of the printed bill, strike out all of lines 22 to 52, both inclusive, and on page 17 strike out all of lines 1 to 24, both inclusive, and insert in lieu thereof the following:

"SEC. 63. Minimum age limit for operators and chauffeurs. An operator's license shall not be issued to any person under the age of fourteen years and no chauffeur's license shall be issued to any person under the age of sixteen years, nor

shall any such license be issued to any person unless the correct fee therefor specified in this act shall be paid; *provided*, it shall be unlawful for any person licensed as a chauffeur who is under the age of eighteen years to operate a vehicle carrying passengers for hire. No person under the age of twenty-one years, whether licensed as an operator or chauffeur, or unlicensed as either, shall drive a school bus containing passengers which is owned and operated by a school district.

SEC. 64. No new license to be issued during suspension or revocation. The division shall not issue an operator's or chauffeur's license to any person whose license has been suspended during the period for which such license was suspended nor to any person whose license has been revoked under the provisions of this act until the expiration of one year after such license was revoked."

AMENDMENT NUMBER SEVENTEEN.

On page 17 of the printed bill, after line 35, insert the following:

"(c) The division shall maintain a file containing the names of all operators and chauffeurs whose licenses have been suspended by it or revoked by it or by a court of competent jurisdiction and the reasons therefor, which names shall be so filed during the period of such suspension or revocation. The division shall arrange such names alphabetically under the name of each such operator or chauffeur in a file entitled 'Operators' and chauffeurs' licenses suspended or revoked.'"

AMENDMENT NUMBER EIGHTEEN.

On page 18, line 20, of the printed bill, strike out the comma after the word "license" and insert a period and strike out the balance of line 20 and all of lines 21 to 23, both inclusive.

AMENDMENT NUMBER NINETEEN.

On page 18, line 30, of the printed bill, after "Sec. 71." insert the following: "Licensed chauffeur need not obtain operator's license."

AMENDMENT NUMBER TWENTY.

On page 18, line 37, of the printed bill, strike out the words "twenty-two" and insert in lieu thereof the words "twenty-one."

AMENDMENT NUMBER TWENTY-ONE.

On page 19, line 15, of the printed bill, strike out all that portion thereof after the period and all of lines 16 and 17.

AMENDMENT NUMBER TWENTY-TWO.

On page 21, line 11, of the printed bill, strike out:

"82. Fees for operator's and chauffeur's licenses." and insert in lieu thereof the following:

"82. Fees for chauffeurs' licenses and duplicate operators' and chauffeurs' certificates."

AMENDMENT NUMBER TWENTY-THREE.

On page 21, line 13, of the printed bill, strike out "dolars" and insert "dollars".

AMENDMENT NUMBER TWENTY-FOUR.

On page 21, line 19, of the printed bill, strike out the words "twenty-five" and insert in lieu thereof the word "fifty".

AMENDMENT NUMBER TWENTY-FIVE.

On page 21, line 21, of the printed bill, after the word "of" insert the following: "passengers for hire or for the transportation of".

AMENDMENT NUMBER TWENTY-SIX.

On page 21, line 26, of the printed bill, after the word "trailers," insert "and semitrailers other than light camping semitrailers,".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 21, line 33, of the printed bill, strike out "Four thousand" and insert in lieu thereof "three thousand".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 21, line 34, of the printed bill, strike out "four thousand" and insert in lieu thereof "three thousand".

AMENDMENT NUMBER TWENTY-NINE.

On page 21, line 41, of the printed bill, strike out "additional" and insert in lieu thereof "in addition to the fees specified in subdivision (a) of this section."

AMENDMENT NUMBER THIRTY.

On page 21, line 43, of the printed bill, after the period insert the following as an additional paragraph:

"For the purposes of this section, a vehicle weighing less than three thousand pounds unladen and equipped with cushion tires shall be deemed to be equipped with pneumatic tires."

AMENDMENT NUMBER THIRTY-ONE.

On page 22, in line 6, of the printed bill, after the word "fee" insert the following: "of five dollars for every electric motor vehicle and for every other motor vehicle a fee".

AMENDMENT NUMBER THIRTY-TWO.

On page 22, line 19, of the printed bill, after the word "fees" insert the following: "for electric motor vehicles and fees".

AMENDMENT NUMBER THIRTY-THREE.

On page 22, line 30, of the printed bill, after the word "government" insert the words "or by a consul or other official representative thereof".

AMENDMENT NUMBER THIRTY-FOUR.

On page 23, line 13, of the printed bill, strike out the words "registration certificate" and insert in lieu thereof "certificate of registration or of ownership".

AMENDMENT NUMBER THIRTY-FIVE.

On page 23, line 17, of the printed bill, after the word "certificate" insert "or certificate of ownership."

AMENDMENT NUMBER THIRTY-SIX.

On page 23 of the printed bill, strike out lines 41 to 45, both inclusive, and insert in lieu thereof the following:

"SEC. 82. Fees for chauffeurs' licenses and duplicate operators' and chauffeurs' certificates. The following fees shall be paid to the division upon application for and before issuance of a chauffeur's license and badge or a duplicate operator's or chauffeur's certificate or chauffeur's badge."

AMENDMENT NUMBER THIRTY-SEVEN.

On page 24, line 24, of the printed bill, strike out

"104. Truck lamps" and insert in lieu thereof

"104. Acetylene headlights".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 25, line 6, of the printed bill, strike out "truck" and insert in lieu thereof "trunk".

AMENDMENT NUMBER THIRTY-NINE.

Amend page 25, line 10, by inserting "(a)" before the words "no vehicle".

AMENDMENT NUMBER FORTY.

On page 25, line 18, of the printed bill, after the word "apart" insert ", or with eight wheels and with four axles when the second and third axles are not less than ninety-six inches apart".

AMENDMENT NUMBER FORTY-ONE.

On page 25, line 22, of the printed bill, after the period, insert the following as an additional paragraph:

"(b) Any vehicle equipped with four wheels, all of which are cushion wheels running on the highway, may be operated upon the public highway when the gross weight of such vehicle and load does not exceed twenty-three thousand pounds."

AMENDMENT NUMBER FORTY-TWO.

Amend page 25, line 22, by adding after the preceding amendment paragraphs as follows:

"(c) Anything in this section to the contrary notwithstanding, it shall be lawful to operate until midnight on the thirty-first day of December, 1926, any vehicle weighing, when unladen, ten thousand pounds or more, registered at the time this section becomes effective which has a total weight including vehicle and load not in excess of twenty-four thousand pounds when such vehicle is equipped with four wheels running on the highway.

(d) Vehicles with a permissible gross weight of twenty-four thousand pounds shall have painted on both sides and rear the words and numerals: "Capacity 24,000 lbs." in lettering not less than three inches in height. The certificates of such vehicles shall bear the original manufacturer's or dealer's sales date, which shall be verified by the division."

AMENDMENT NUMBER FORTY-THREE.

On page 25, line 34, of the printed bill, after the word "vehicle" and before the period insert the following: "except that a horse drawn vehicle equipped with metal tires may be moved upon the highway when the weight of such vehicle, including any load thereon, does not exceed seven hundred pounds upon any inch of width of tire of such vehicle".

AMENDMENT NUMBER FORTY-FOUR.

On page 26, line 2, of the printed bill, strike out the word "such" where it first appears in said line.

AMENDMENT NUMBER FORTY-FIVE.

On page 26 of the printed bill, strike out all of lines 34 to 44, both inclusive, and insert in lieu thereof the following:

"Boards of supervisors in their respective counties may by ordinance reduce the permissible weight of vehicles and loads operated or moved upon unimproved county highways or upon bridges and may reduce the permissible weight of vehicles and loads operated or moved upon so much of any improved county highway in their respective counties which by reason of deterioration will be destroyed unless such loads are reduced; *provided, however*, that such reduction in weights on improved highways shall not extend for more than a period of ninety days unless actual repairs are begun within such time and thereafter maintained continuously and; *provided further*, that in the event any person shall protest in writing to the clerk of such board of supervisors within fifteen days after the adoption of the ordinance reducing such weight then such reduction in weight shall not become effective unless and until the California Highway Commission after a notice of at least five days to such protestant and after a hearing which shall be held in the county in which such highway is located concurs in such action of said board of supervisors in such reduction. It shall be the duty of said California highway commission to hold such hearing within twenty-five days after being requested so to do by the board of supervisors. Whenever any weight limit different from those specified in this act is fixed in accordance with this section the board of supervisors shall cause signs indicating the maximum gross weight allowed to be erected at each end of that portion of any county highway upon which the permissible gross weight is altered as herein provided."

AMENDMENT NUMBER FORTY-SIX.

On page 26, line 49, of the printed bill, strike out the words "a water bound macadam or".

AMENDMENT NUMBER FORTY-SEVEN.

On page 29, line 4, of the printed bill, strike out "damages" and insert in lieu thereof "damage".

AMENDMENT NUMBER FORTY-EIGHT.

On page 29, line 25, of the printed bill, strike out the word "hospital" and insert in lieu thereof the word "every".

AMENDMENT NUMBER FORTY-NINE.

On page 29, line 26, of the printed bill, strike out the words "of a city or county".

AMENDMENT NUMBER FIFTY.

On page 30 of the printed bill, strike out all of lines 46 to 48, both inclusive, and insert in lieu thereof the following: "; such compliance shall be presumed if such headlights are affixed to such vehicle in the manner required by this act and are of a type, or are equipped with lenses, reflectors or control devices which have been found to meet such requirements and limitations by the laboratory test provided in section 102 and when used in accordance with the instructions of the testing agency."

AMENDMENT NUMBER FIFTY-ONE.

On page 31, line 1, of the printed bill, strike out the words "nor more than six thousand,".

AMENDMENT NUMBER FIFTY-TWO.

On page 31, line 10, of the printed bill, strike out the words "two thousand" and in line 11 strike out the word "four" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FIFTY-THREE.

On page 31, line 11, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "five".

AMENDMENT NUMBER FIFTY-FOUR.

On page 32, line 1, of the printed bill, strike out "act" and insert in lieu thereof the word "section".

AMENDMENT NUMBER FIFTY-FIVE.

On page 32, line 5, of the printed bill, after the comma following the word "provided" add the words "using twenty-one standard candle power lamp or bulb or thirty-two standard candle power lamp or bulb, or any standard candle power lamp or bulb between these two limits,".

AMENDMENT NUMBER FIFTY-SIX.

On page 32, line 19, of the printed bill, strike out the period after the word "impractical" and add the words ", but upon any such refusal must furnish the applicant a detailed statement signed by him setting forth the reasons for such refusal."

AMENDMENT NUMBER FIFTY-SEVEN.

On page 33 of the printed bill, strike out all of lines 5 to 11, inclusive, and insert in lieu thereof the following:

"(i) From and after the date upon which this section becomes effective it shall be unlawful to sell or offer for sale any headlight lamp or headlight equipment unless it is of a type which shall have been approved by the division under the provisions hereof, and unless such device is accompanied by a printed sheet of instructions describing the device in detail, its method of mounting and adjustment, candle power limits of lamps to be used and any other adjustment that may be necessary to insure its conformity with the requirements of this act, and with the conditions specified in the report of the testing agency appointed by the chief of the division to test such headlight control device, such instructions shall be printed with photographs of the (a) lens or control device, (b) pattern of light from one headlight thrown on regulation testing screen both with and without the device, showing the relation of the patterns of light as projected in each case to a horizontal cross line placed across the face of such screen at a height equal to the height of the center of such headlight, and with the headlight adjusted for tilt and focus exactly as required to conform to the requirements of this act. It shall be unlawful from and after the date upon which this section becomes effective to sell or offer for sale any new motor vehicle equipped with headlights which do not comply with the provisions of this act."

AMENDMENT NUMBER FIFTY-EIGHT.

On page 33 of the printed bill, strike out all of lines 34 to 51, inclusive, and on page 34 all of lines 1 to 8, inclusive, and insert in lieu thereof the following:

"Sec. 104. Acetylene headlights. Any motor vehicle equipped with acetylene headlights shall be deemed to have complied with the provisions of this act concerning headlights, anything to the contrary notwithstanding, when such vehicle has two acetylene lamps at the front portion thereof, of approximately equal candle-power which shall be lighted at the times and under the conditions specified in section ninety-nine, and are fitted with clear plane glass fronts, bright six-inch spherical mirrors and standard acetylene five-eighths foot burners, not more and not less, and which must throw sufficient light ahead to make clearly visible all vehicles, persons or substantial objects upon the roadway within a distance of two hundred (200) feet but must not project a glaring or dazzling light to persons approaching such lights or to persons whom such headlights may approach.

Any motorcycle equipped with an acetylene headlight shall be deemed to have complied with the provisions of this act, any thing to the contrary notwithstanding, when such motorcycle has one acetylene lamp at the front thereof, which shall be lighted at the times and under the conditions specified in section ninety-nine, and is fitted with a clear plane glass front, bright, six-inch spherical mirror and a standard acetylene one-half or five-eighths foot burner, and which must throw sufficient light ahead to make clearly visible all vehicles, persons or substantial objects upon the roadway within a distance of one hundred fifteen feet (115), but must not project a glaring or dazzling light to persons approaching such light or to persons whom such headlight may approach.

If the inclusion of this section is ever held to render any other provision of this act unconstitutional, then this section shall be regarded as stricken from this act so that the other provision may remain in force."

AMENDMENT NUMBER FIFTY-NINE.

On page 35 of the printed bill, line 37, strike out the words "line of the hub caps" and insert in lieu thereof the words "front hub cap".

AMENDMENT NUMBER SIXTY.

On page 35 of the printed bill, line 38, strike out the words "outside of" and insert in lieu thereof the words "left side of such vehicle or".

AMENDMENT NUMBER SIXTY-ONE.

On page 35, line 43, of the printed bill, after the period, insert the following: "No such light shall project a light greater than four apparent candle power."

AMENDMENT NUMBER SIXTY-TWO.

On page 36 of the printed bill, line 18, strike out the word "Overtaking" and insert in lieu thereof the word "Overtaking".

AMENDMENT NUMBER SIXTY-THREE.

On page 37 of the printed bill, line 11, strike out the words "rate of".

AMENDMENT NUMBER SIXTY-FOUR.

On page 37 of the printed bill, line 48, strike out the words "rate of".

AMENDMENT NUMBER SIXTY-FIVE.

On page 39 of the printed bill, line 14, strike out the words "rate of".

AMENDMENT NUMBER SIXTY-SIX.

On page 39 of the printed bill, line 18, strike out the words "rates of speed" and insert in lieu thereof the word "speeds".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 39 of the printed bill, line 35, strike out the word "limit".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 39 of the printed bill, line 45, strike out the words "rate of".

AMENDMENT NUMBER SIXTY-NINE.

On page 39 of the printed bill, line 51, strike out the words "rate of".

AMENDMENT NUMBER SEVENTY.

On page 40 of the printed bill, line 26, strike out the period and insert in lieu thereof the following: "nor to ambulances or the vehicles of licensed physicians when actually traveling in response to emergency calls."

AMENDMENT NUMBER SEVENTY-ONE.

On page 41 of the printed bill, line 34, after the period insert the following: "Following too closely."

AMENDMENT NUMBER SEVENTY-TWO.

On page 41 of the printed bill, line 49, strike out the words "or so as to cross the street".

AMENDMENT NUMBER SEVENTY-THREE.

On page 43 of the printed bill, in line 21, strike out the word "effectually".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 43 of the printed bill, lines 28 and 31, strike out the words "rate of".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 44 of the printed bill, line 38, after the word "cargo" the second time it appears therein, insert a comma.

AMENDMENT NUMBER SEVENTY-SIX

On page 44 of the printed bill, line 50, strike out the word "countes" and insert in lieu thereof the word "counties".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 45 of the printed bill, line 15, after the word "highway" insert the words "outside of a business or residence district".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 45 of the printed bill, line 28, strike out the words "to any public" and strike out all of line 29 and that portion of line 30 reading "herein, nor shall it apply".

AMENDMENT NUMBER SEVENTY-NINE.

On page 45 of the printed bill, line 31, strike out the words "shall be" and insert in lieu thereof the word "is".

AMENDMENT NUMBER EIGHTY.

On page 45 of the printed bill, line 33, strike out the words "shall be" and insert in lieu thereof the word "is" and in line 33 after the word "stopping" insert the words "and temporarily leaving".

AMENDMENT NUMBER EIGHTY-ONE.

On page 45, line 34, of the printed bill, insert a period after the word "position" and strike out all that portion of said line beginning with the word "and" and strike out all of line 35.

AMENDMENT NUMBER EIGHTY-TWO.

On page 46, line 13, of the printed bill, strike out "the".

AMENDMENT NUMBER EIGHTY-THREE.

On page 47, line 37, of the printed bill, strike out the word "motor".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 47, line 38, of the printed bill, strike out the words "Getting into vehicle without owner's consent," and insert in lieu thereof the words "Tampering with vehicle."

AMENDMENT NUMBER EIGHTY-FIVE.

On page 48, line 5, of the printed bill, strike out the word "motor", also in line 8, line 17, line 23, line 27, line 28, and in line 31.

AMENDMENT NUMBER EIGHTY-SIX.

On page 48, in line 15, of the printed bill, strike out the words "Getting into vehicle without owner's consent," and insert in lieu thereof the words "Tampering with vehicle."

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 48, line 17, of the printed bill, after the comma and before the word "climb" insert the following: "with the intent to commit any malicious mischief or injury thereto or with intent to commit any crime".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 48, line 42, of the printed bill, strike out "it shall be the duty of any" and insert in lieu thereof the word "Any".

AMENDMENT NUMBER EIGHTY-NINE.

On page 48, line 44, of the printed bill, strike out the word "to" the second time it appears therein and insert in lieu thereof the word "shall".

AMENDMENT NUMBER NINETY.

On page 49, line 24, of the printed bill, strike out all that portion of said line commencing with the word "conviction" and all of line 25, and in line 26 strike out the words "said title" and insert in lieu thereof "such conviction within one year."

AMENDMENT NUMBER NINETY-ONE.

On page 49, line 29, of the printed bill, strike out that portion thereof beginning with the word "conviction" and that portion of line 30 down to and including the comma, and insert in lieu thereof the words "such conviction within one year".

AMENDMENT NUMBER NINETY-TWO.

On page 49 of the printed bill, strike out all of lines 45 to 49, both inclusive, and insert in lieu thereof the following:

- "155. Evidence based on use of speed traps not to be admitted.
- 156. Report of convictions to be sent to division.
- 157. Division to deposit all fees in state treasury.
- 158. Division to file semi-annual report.
- 159. Motor vehicle fund.
- 160. Fines and forfeitures."

AMENDMENT NUMBER NINETY-THREE.

On page 50 of the printed bill, after the line 32 and before line 33, insert the following:

"SEC. 155. Evidence based on use of speed traps not to be admitted. No evidence as to the speed of a vehicle operated on a highway by any person arrested for a violation of the provisions of this act shall be admitted in any court at the consequent trial of such person when such evidence relates to or is based upon the maintenance or use of a speed trap.

A speed trap within the meaning of this section, is a particular section of, or distance on, any highway the length of which has been or is measured for distance, and marked off or otherwise designated or determined, and the limits of which are within the vision of an officer or officers who calculate the speed of a vehicle passing through such speed trap by using the elapsed time during which such vehicle travels between the entrance and exit of such speed trap.

Nor shall any testimony in any such case be admitted in any court from any officer or officers arresting or participating or assisting in the arrest of such person

if any speed trap was used in such arrest or if such officer or officers, or any of them, were not at the time of such arrest dressed in a distinctive uniform and patrolling or upon the highway upon which the arrest was made in plain sight of all persons travelling thereon."

AMENDMENT NUMBER NINETY-FOUR.

On page 50, line 33, of the printed bill, strike out "155" and insert in lieu thereof "156".

AMENDMENT NUMBER NINETY-FIVE.

On page 51, line 7, of the printed bill, strike out "156" and insert in lieu thereof "157".

AMENDMENT NUMBER NINETY-SIX.

On page 51, line 15, of the printed bill, strike out "157" and insert in lieu thereof "158".

AMENDMENT NUMBER NINETY-SEVEN.

On page 51, line 21, of the printed bill, strike out "158" and insert in lieu thereof "159".

AMENDMENT NUMBER NINETY-EIGHT.

On page 51, line 40, of the printed bill, strike out the comma and the remainder of the line, also strike out all of lines 50 and 51 and on page 52 strike out all that portion of line 1 down to and including the comma therein.

AMENDMENT NUMBER NINETY-NINE.

On page 52, line 6, of the printed bill, strike out "and all such amounts paid" and insert in lieu thereof the following: "*provided*, that there shall be deducted from the amount to be paid hereunder to any county all amounts that may have been expended under the provisions of this act during the preceding six months to pay the compensation of state inspectors and traffic officers appointed to serve in such county. All amounts paid under this section".

AMENDMENT NUMBER ONE HUNDRED.

On page 52, line 21, of the printed bill, after the word "in" insert the word "the" and strike out the word "the" at the end of the line.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 53, line 31, of the printed bill, strike out "159" and insert in lieu thereof "160".

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 54, line 7, of the printed bill, strike out "160" and insert in lieu thereof "161".

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 54, line 15, of the printed bill, strike out "161" and insert in lieu thereof "162".

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 54, line 32, of the printed bill, strike out "162" and insert in lieu thereof "163".

ASSISTANT SECRETARY G. MELVIN WARREN AT THE DESK.

Report read.

The question being on the adoption of the report.

The roll was called, and report adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

NOES—None.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of

violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1051 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Rominger, Sample, Slater, and Swing—32.

NOES—Senator McDonald—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECALL BILL FROM COMMITTEE.

Senator Chamberlin moved to recall Assembly Bill No. 981 from the Committee on Governmental Efficiency and Economy and that the same be placed on file.

The question being on the motion to recall Assembly Bill No. 981 from committee.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—39.

The Secretary announced the absentees.

Time, one o'clock and forty minutes.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF SENATE.

Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 251 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Inman, Johnson, A. B., Johnson, M. B., McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list.

SECRETARY JOSEPH A. BECK AT THE DESK.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1367 was refused passage by the following vote:

AYES—Senators Dennett, Eden, Gray, Hughes, McDonald, and Sample—6.

NOES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Gates, E. J., Handy, Harris, Hart, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—26.

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 738 passed by the following vote:

AYES—Senators Arbuckle, Boggs, Breed, Burnett, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Lyon, McDonald, Murphy, Osborne, Rominger, Sample, Sharkey, Slater, Swing, and West—29.

NOES—Senators Allen, Canepa, Johnson, M. B., and Lewis—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1347 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sharkey, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and the motion to recall Assembly Bill No. 981 from committee carried by the following vote:

AYES—Senators Arbuckle, Breed, Burnett, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hurley, Johnson, A. B., Lyon, McDonald, Osborne, Rominger, Rush, Sample, and West—21.

NOES—Senators Allen, Boggs, Canepa, Carr, Crowley, Dennett, Harris, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Powers, Sharkey, Slater, and Swing—19.

Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 35 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sharkey, Slater, Swing, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employees or prospective employees.

Bill read third time.

The question being on the passage of the bill.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Dennett moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—35.

The Secretary announced the absentees.

Time, two o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo water district prescribing its boundaries and providing for the government and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1297 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1180 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10, 25, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1304 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1351 refused passage by the following vote:

AYES—Senators Handy, and Nelson—2.

NOES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Swing, and West—27.

Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 491 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Slater, Swing, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 721 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and forty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 841 finally passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Chamberlin, Dennett, Eden, Gates, Dr., Gates, E. J., Handy, Hart, Hughes, Johnson, A. B., Jones, Lewis, Lyon, Nelson, Rominger, Sample, Swing, and West—22.

NOES—Senators Canepa, Carr, Creighton, Crowley, Godsil, Harris, Ingram, Inman, Johnson, M. B., McDonald, Murphy, Osborne, Powers, and Slater—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Dennett, Assembly Bill No. 1352 was taken from file and ordered re-referred to Committee on Judiciary.

Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 660 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Slater, Swing, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1273—An act to provide for the care of under-nourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1273 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Chamberlin, Crowley, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Nelson, Osborne, Sample, Slater, Swing, and West—23.

NOES—Senators Lewis, and Lyon—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Lyon, Murphy, Osborne, Powers, Sample, Slater, Swing, and West—27.

NOES—Senator Lewis—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur

bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1045 passed by the following vote:

AYES—Senators Allen, Arbuckle, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr. Gates, E. J., Godsil, Hanly, Hart, Hughes, Ingram, Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Sample, Slater, Swing, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Seannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-SEVEN.

Senator McDonald asked for and was granted unanimous consent to take up Senate Bill No. 167.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Seannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED SIXTY-SEVEN.

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill and in lieu thereof insert the following:

"An act to add a new section to the Political Code, to be numbered two thousand five hundred twenty-six *a*, relating to the powers of the board of state harbor commissioners."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 1 to 24, both inclusive, and in lieu thereof insert the following:

"2526a. The board of state harbor commissioners shall have power to contract with the city and county of San Francisco for the use of the two fire boats, the "Dennis Sullivan" and the "David Seannell", owned by said city and county of San Francisco, as long as such boats remain in commission, for use on San Francisco Bay for protection against fires of shipping and for the protection of the property of the state or any political subdivision thereof on the water-front of San Francisco: one-half of the expense of maintenance of said fire boats to be paid by

the city and county of San Francisco and one-half to be paid out of the San Francisco harbor improvement fund, but in no event shall the total amount so expended out of said San Francisco harbor improvement fund exceed the sum of one hundred and thirty thousand dollars in any two years or the sum of sixty-five thousand dollars in any one year.

The board of fire commissioners of the city and county of San Francisco shall each month make an itemized account of the expenses of maintenance of said fire boats, including the salaries of the officers, firemen and crews thereof, and file two copies thereof with the state board of harbor commissioners and one copy thereof with the state board of control. It shall be the duty of the board of state harbor commissioners of San Francisco to audit such account and certify to the same, whereupon it shall transmit such account so audited and approved to the said board of control.

In addition to the amounts which may be collected for the purposes specified in this article by the board of state harbor commissioners there shall be collected an amount sufficient to carry out the provisions of this section."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 167?"

The roll was called, and Assembly amendments to Senate Bill No. 167 were refused concurrence in by the following vote:

AYES—None.

NOES—Senators Allen, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Handy, Harris, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Rominger, Sample, Slater, Swing, and West—27.

Assembly Bill No. 703—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 703 passed by the following vote:

AYES—Senators Allen, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Hughes, Hurley, Ingram, Lewis, Murphy, Osborne, Powers, Rominger, Sample, Swing, and West—22.

NOES—Senators Handy, Nelson, and Slater—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gates, E. J., moved to refer Assembly Bill No. 1197 to Senator Rominger, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the words "eighty thousand" and insert in lieu thereof the words "five hundred thousand".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Inman, and Canepa upon the motion to refer to a Special Committee of One, and the motion lost by the following vote:

AYES—Senators Arbuckle, Breed, Chamberlin, Gates, E. J., Godsil, Hart, Johnson, A. B., Rominger, and West—9.

NOES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Harris, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Rush, Sample, Slater and Swing—26.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1197 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Canepa, Carr, Creighton, Dennett, Gates, Dr., Harris, Hughes, Hurley, Inman, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Rush, and Slater—21.

NOES—Senators Arbuckle, Burnett, Chamberlin, Eden, Gates, E. J., Godsil, Gray, Hart, Ingram, Rominger, Sample, and West—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of rape or carnal abuse of females under the age of ten years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 828 passed by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Lewis, Osborne, Rush, Sample, Sharkey, and Slater—23.

NOES—Senators Carr, Crowley, Inman, Jones, Lyon, and West—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 824 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Creighton, Dennett, Eden, Gates, Dr., Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Sharkey, and Slater—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 822 passed by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, E. J., Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Rush, Sharkey, Slater, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTIONS —(OUT OF ORDER).

The following resolution was offered:

By Committee on Contingent Expenses:

WHEREAS, The members of the Senate will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the close of this session; therefore, be it

Resolved, That the Sergeant-at-Arms, Joseph F. Nolan, be authorized to procure such boxes, packing, and other materials as are necessary for the purpose of shipping the same, properly packed, to said members; and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Senate in favor of said Joseph F. Nolan, in a sum not to exceed five hundred dollars (\$500), and the State Treasurer is hereby directed to pay the same; and it is further directed that said Joseph F. Nolan furnish to the Controller vouchers and receipts for all expenditures made by him.

(Signed out)

LEWIS, Chairman.
SWING.
CREIGHTON.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Rominger, Sample, Sharkey, Slater, Swing, and West—32.

NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the resolution by Senator Harris—Relative to the publication and distribution of the Constitution of the State of California, by the Legislative Counsel Bureau—has had the same under consideration, and respectfully reports the same and recommends that the resolution be adopted.

Committee membership—3; committee vote: Ayes—3.

(Signed out)

LEWIS, Chairman.
CREIGHTON.
SWING.

Resolution read.

Senator Harris moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Carr, Chamberlin, Crowley, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. B., Lyon, Murphy, Nelson, Osborne, Rominger, Sharkey, Slater, and West—22.

NOES—Senators Dennett, Inman, and Lewis—3.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Senator Breed:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund in a sum not to exceed five hundred dollars (\$500) in favor of Joseph A. Beek, Secretary of the Senate, and the Treasurer is hereby directed to pay the same, for postage, telephone service, Western Union, supplies, rental of typewriters, illuminating resolutions and any incidental expenses in connection with completing the work of the forty-fifth session of the Senate of

the State of California. Vouchers and receipts for all expenditures to be furnished to the Controller.

(Signed out.)

LEWIS, Chairman.
SWING.
CREIGHTON.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Dennett, Gates, Dr., Gates, E. J., Godsil, Handy, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Lewis, Lyon, McDonald, Murphy, Nelson, Rominger, Sample, Sharkey, Slater, and West 31.

NOES—None.

Also:

Resolved, That the sum of two thousand five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of the fund for pay of officers, clerks and other employees of the Senate, to the order of Joseph A. Beck, Secretary, for services of self and clerks in arranging and preparing the bills, books and all other records of the Senate, in filing the same with the Secretary of State as provided by law.

For the further purpose of indexing, correcting, comparing and proof reading, and otherwise preparing the Journal of the Senate of the forty-fifth session of the Legislature, and making the information therein contained readily available for the use of members of the Legislature and the State officers and the general public, as a permanent record of the business transacted during the said forty-fifth session.

And for the further purpose of compiling, preparing and having printed after final adjournment a final calendar of the legislative business of the forty-fifth session, said calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time and any and all such other information as will provide a perfect history of the session's business and a guide for the information of subsequent sessions of the Legislature. When said final calendar is prepared, the Secretary is directed to forward one copy to each public library in the State which may apply for same, and one copy to each member of the Senate; and be it further

Resolved, That the State Controller is hereby authorized and directed to draw his warrant or warrants upon the unexpended balance of the fund provided for the pay of officers, clerks and all other employees of the Senate in favor of Joseph A. Beck, Secretary of the Senate, in the sum of two thousand five hundred dollars, or so much thereof as may be necessary, and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lyon, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—37.

NOES—None.

By Senator Rominger:

The following resolution having been endorsed by the Senate Fish and Game Committee, was requested to be printed in the Journal by Senator Rominger.

WHEREAS, The work of the Senate Fish and Game Committee has been greatly facilitated by the co-operation of the Fish and Game Commission; and

WHEREAS, Mr. N. B. Seofield, of the Commercial Fisheries Department, and Mr. Joseph S. Hunter, Assistant Executive Officer, of the Fish and Game Commission, have met with the Committee, at the request of the Chairman, and have at all times given the committee unbiased and unprejudiced information; now therefore, be it

Resolved, By the members of the Fish and Game Committee, that a vote of thanks be extended to Mr. N. B. Scofield and Mr. Joseph S. Hunter, in appreciation of valuable services rendered.

ROMINGER, Chairman.
CANEPA.
HURLEY.
CREIGHTON.
GATES, DR.
HANDY.
POWERS.
GATES, E. J.
HART.
CROWLEY.
BREED.
INGRAM.
SHARKEY.
GRAY.

RESOLUTION OF RESPECT.

The following resolution of respect to the memory of the late Thomas A. Brown was offered by the committee:

WHEREAS, The Senate of the State of California has learned with sincere regret of the death of Thomas A. Brown, who served this Senate as Sergeant-at-Arms and the State of California in other capacities faithfully and well, to the end that his service was recognized as meriting the highest approbation of all who came in contact with him and the public generally; therefore, be it

Resolved, By the Senate of the State of California that we most deeply regret the death of this good man and as a tribute of our esteem, the Secretary of the Senate is hereby directed to forward an engrossed copy of these resolutions to the bereaved wife and family of this faithful public servant and that when the Senate adjourns this day it does so out of respect to his memory.

(Signed)

SLATER.
GATES, E. J.,
CROWLEY,
Committee.

Resolution read, and on motion of Senator Slater adopted.

RE-REFERENCE OF ASSEMBLY CONSTITUTIONAL AMENDMENT.

On motion of Senator Hurley, Assembly Constitutional Amendment No. 39 was taken from file and re-referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 981—An act to amend section 360c of the Political Code, relating to a Department of Finance.

RESOLUTION.

By Senator Chamberlin:

Resolved, That Assembly Bill No. 981 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution lost by the following vote:

AYES—Senators Arbuckle, Burnett, Chamberlin, Eden, Gates, E. J., Godsil, Gray, Handy, Hurley, Johnson, A. B., Lyon, McDonald, Rominger, Sample, Swing, and West—16.

NOES—Senators Allen, Boggs, Canepa, Carr, Creighton, Crowley, Dennett, Harris, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Rush, and Slater—19.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 13 was refused passage by the following vote:

AYES—Senators Allen, Bennett, Harris, Jones, Lewis, Lyon, Rominger, Sample, and Sharkey—9.

NOES—Senators Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Hughes, Hurley, Ingram, Inman, Johnson, M. B., McDonald, Murphy, Nelson, Osborne, Rush, Slater, and West—22.

Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 497 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1210 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Sharkey, Slater, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1306 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Carr, Creighton, Crowley, Eden, Gates, Dr., Godsil, Gray, Handy, Harris, Hart, Hughes, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Sharkey, Slater, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF BILL.

On motion of Senator Gates, Dr., Assembly Bill No. 74 was taken from the file and ordered re-referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257a, relating to the prohibiting of publication of indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1014 passed by the following vote:

AYES—Senators Allen, Boggs, Burnett, Canepa, Creighton, Crowley, Eden, Godsil, Gray, Handy, Harris, Hart, Hughes, Johnson, M. B., Lyon, McDonald, Nelson, Osborne, Rush, Slater, and West—21.

NOES—Senator Gates, Dr.—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax.

Constitutional amendment read.

The question being on the adoption of the amendment.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Boggs moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—37.

The Secretary announced the absentees.

Time, three o'clock.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED THIRTY-ONE.

Senator Nelson asked for and was granted unanimous consent to take up Senate Bill No. 231.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED THIRTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, strike out the word "twelve" inserting in lieu thereof the word "five", and strike out the words "four hundred five" on same line.

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 231?"

The roll was called, and Assembly amendment to Senate Bill No. 231 concurred in by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Johnson, M. R., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Slater, and West—28.

NOES—None.

Senate Bill No. 231 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 348—An act validating and confirming the organization of irrigation districts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FORTY-EIGHT.

Senator Dennett asked for and was granted unanimous consent to take up Senate Bill No. 348.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 348—An act validating and confirming the organization of irrigation districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FORTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 11, 12 and 13 and insert in lieu thereof the following: "district was declared to be organized and the time thereafter within which a proceeding to contest the election on organization as provided in such act, has elapsed without such a contest being brought, and said district has thereafter continued to the date when this act shall take effect to actually exercise the functions".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill strike out all after the word "act" and all of line 2, and insert in lieu thereof the following: "recognizing and declaring valid the Lakeland irrigation district, and approving and declaring valid all proceedings on formation and organization of said district."

AMENDMENT NUMBER THREE.

"SEC. 2. Lakeland irrigation district as formed by the board of supervisors of the county of Kings, State of California, and as now existing, is hereby recognized and declared valid, and all proceedings on formation and organization are hereby ratified, approved and declared valid."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill as amended May 10, 1923, strike out all of line 1 following the period, all of lines 2 to 20, both inclusive, and all of line 21 preceding the word "Lakeland".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 348?"

The roll was called, and Assembly amendments to Senate Bill No. 348 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Rush, Sharkey, Slater, and West—27.

NOES—None.

Senate Bill No. 348 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER NINETY-FIVE.

Senator Ingram asked for and was granted unanimous consent to take up Senate Bill No. 95.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINETY-FIVE.

AMENDMENT NUMBER ONE.

Strike out from and including the word "that" in line 4 of page 2, to and including the period following the word "incorporation" in line 18 of page 2, and in lieu thereof insert the following: "in the case of municipal corporations of the sixth class that in the event that the proposed boundaries of such corporation contain both a center of population subdivided into town or suburban lots, and also an area of land devoted to farming, dairying, agricultural, oil or mineral purposes, or other outside acreage, the said board of supervisors shall include within said proposed boundaries in addition to said subdivided area, only such portion of said area of land devoted to the purposes aforesaid or to any thereof or such other outside acreage, as the owners thereof shall have petitioned to have included within the limits of said proposed corporation."

AMENDMENT NUMBER TWO.

Strike out from and including the word "or" in line 33 of page 2, to and including the comma following the word "said" in line 35 of page 2.

AMENDMENT NUMBER THREE.

After the period following the word "incorporated" in line 39 of page 2, insert the following: "and shall provide for the election of such officers as shall be required in such city of the class to which the same may belong, as hereinafter provided."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 95?"

The roll was called, and Assembly amendments to Senate Bill No. 95 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Gray, Handy, Hart, Hughes, Ingram, Inman, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Slater, and West—26.

NOES—None.

Senate Bill No. 95 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED SEVENTEEN.

Senator Rush asked for and was granted unanimous consent to take up Senate Bill No. 717.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED SEVENTEEN.

AMENDMENT NUMBER ONE.

On page 1, lines 14 and 15, of the printed bill, omit the words "file the same with", and insert in lieu thereof the words "deliver the same to".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, after the word "not" insert the words, "earlier than the third Monday in November of each odd-numbered year nor".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after the word "not" insert the words "earlier than the second Monday in December of each odd-numbered year nor".

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, after the word "request" insert the word "from".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 717?"

The roll was called, and Assembly amendments to Senate Bill No. 717 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J. Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, M. B. Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, and West—29.

NOES—None.

Senate Bill No. 717 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 459—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administra-

tion of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIFTY-EIGHT.

Senator Gray asked for and was granted unanimous consent to take up Senate Bill No. 458.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 29, 1923, strike out all of lines 8 to 21, both inclusive, also on page 2 strike out lines 1 to 11, both inclusive, and insert in lieu thereof the following:

"Sec. 5. Each teacher subject to the burdens of this act shall contribute twelve dollars each school year to the public school teachers' permanent fund for not less than thirty years, and shall pay the twelve dollars to the county superintendent of schools of the county in which the teacher is employed. The teacher must pay six dollars not later than December thirty-first for the half year ending December thirty-first, and must pay six dollars for the half year ending June thirtieth, at the time or before the time of filing his annual report with the county superintendent of schools and not later than June thirtieth of the current school year.

The county superintendent of schools shall issue a receipt in duplicate to the teacher when he makes his payment. The teacher shall file his duplicate receipt with the clerk or secretary of the governing board of the school district in whose service he is employed and the clerk or secretary of the governing board of the school district shall not issue to the teacher his warrant for the school month including December thirty-first nor for his last month of teaching for the current school year until the teacher files with the clerk or secretary his duplicate receipt for the period ending December thirty-first or June thirtieth, as the case may be. The teacher may pay twelve dollars instead of six dollars at the time of making his first payment, in which case the filing of his receipt with the clerk or secretary of the school district shall relieve him from further payments during the current school year.

The county superintendent of schools shall deposit these payments weekly, or oftener, in the county treasury to the credit of the public school teachers' permanent fund, and not later than the fifteenth day of July of each year, and semi-annually thereafter, shall draw his requisition in favor of the state treasurer and against the county auditor who shall draw his warrant on the county treasurer for the full amount then on deposit to the credit of the public school teachers' permanent fund. The requisition of the county superintendent of schools shall be accompanied by a list giving the names of the teachers and the amounts paid by each teacher, and a duplicate of said list shall be sent by the county superintendent of schools to the secretary of the public school teachers' retirement salary fund board. Upon the receipt of such requisition the state treasurer shall collect the same and deposit the proceeds thereof in the state treasury to the credit of the public school teachers' permanent fund; *provided*, that in every city and county which constitutes a separate school district, as provided in section one thousand five hundred seventy-six of the Political Code, the payments herein provided to be made shall be made to the superintendent of schools who shall issue his receipt therefor in duplicate. In such case the teacher shall file his duplicate receipt with the board of education of such city and county and no official, board, or commission whose duty it is to draw warrants or demands for the payment of said teacher's salary, shall draw such warrant or demand for the school month ending December thirty-first unless the duplicate

receipt for the half year ending December thirty-first is on file, nor for the last month of teaching of the current school year, unless the duplicate receipt for the half year ending June thirtieth is on file."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 458?"

The roll was called, and Assembly amendment to Senate Bill No. 458 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, and West—28.

NOES—None.

Senate Bill No. 458 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OLINIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED FIFTY-SIX.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Bill No. 656.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FIFTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the word "patrolling" and insert in lieu thereof the word "protecting".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, after the word "patrol" insert the following: "except in cases where in the judgment of the state board of forestry such patrol is unnecessary".

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, after the word "forester" insert the following: "in providing adequate patrol for the said land."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 656?"

The roll was called, and Assembly amendments to Senate Bill No. 656 concurred in by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Carr, Chamberlin, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Rush, Sample, Slater, and West—28.

NOES—None.

Senate Bill No. 656 ordered to enrollment.

RE-REFERENCE OF BILL.

On motion of Senator Chamberlin, Assembly Bill No. 1173 was taken from file and ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 561 passed by the following vote:

AYES—Senators Allen, Arbuckle, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hughes, Ingram, Inman, Johnson, M. B., Jones, Lewis, Murphy, Osborne, Rush, Sample, and Slater—28.

NOES—Senators Eden, McDonald, Nelson, and West—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

The following resolution was received:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant on the contingent fund of the Senate in the sum of \$45.90, in favor of the Secretary of the Senate, in payment of the following items:

The Sutter Candy Co., Inc.

| | |
|--|---------|
| 200 assorted sandwiches @ 15c | \$30 00 |
| 12 assorted pies @ 60c | 7 20 |
| 24 bottles milk @ 5c | 1 20 |
| 6 gallons coffee, cream and sugar @ \$1.25 | 7 50 |

| | |
|-------|---------|
| Total | \$45 90 |
|-------|---------|

LEWIS, Chairman.

Resolution read.

Senator Lewis moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Ingram, Johnson, M. B., Lewis, Nelson, Osborne, Rush, Slater, and West—26.

NOES—Senators McDonald, and Sample—2.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boggs.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Boggs moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr. Gates, E. J., Gedsil, Gray, Handy, Harris, Hart, Hughes, Hurley, Ingram, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Nelson, Osborne, Powers, Rominger, Rush, Slater, Swing and West—43.

The Secretary announced the absentees.

Time, three o'clock and sixteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF SENATE.

APPROVAL OF JOURNALS.

On motion of Senator Breed, the Senate Journals of Monday, May 14, Tuesday, May 15, Wednesday, May 16, and Thursday, May 17, were approved as corrected.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Conference report concerning Assembly Bill No. 1166—recommending the appointment of a Free Conference Committee and the following Assemblymen were appointed: Davis, Johnson, J. W., and Weller, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day receded from its amendments to Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the attorney general, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain

words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bill No. 229 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924;

Also: Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, by authorizing the appointment of two additional clerks and four additional stenographers in such office; and making an appropriation to pay the salaries of such additional clerks and stenographers during the seventy-fifth and seventy-sixth fiscal years;

Also: Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California;

Also: Senate Bill No. 584—An act making an appropriation for improvements, including repairs and equipment at the University of California;

Also: Senate Bill No. 585—An act to provide additional land and buildings for use in connection with the Department of Agriculture of the University of California at Berkeley and making an appropriation therefor;

Also: Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 437, 493, 582, 584, 585 and 630 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance;

Also: Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis;

Also: Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California;

Also: Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California;

Also: Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 697, 702, 730, 724 and 742 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated;

Also; Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district;

Also; Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano;

Also; Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the first agricultural district;

Also; Senate Bill No. 100—An act appropriating money to pay the claim of Williard H. Stimson and Son;

Also; Senate Bill No. 206—An act making an appropriation to pay the claim of Geo. A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California;

Also; Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California;

Also; Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 12, 50, 56, 73, 100, 206, 207 and 301 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the federal board for vocational education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation, to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921;

Also; Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California;

Also; Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building;

Also; Senate Bill No. 406—An act appropriating \$500 for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California;

Also; Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor;

Also; Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by authorizing the appointment of three additional deputies in such office; and making appropriation to pay the salaries of such additional deputies during the seventy-fifth and seventy-sixth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 222, 312, 376, 406, 472 and 492 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains;

Also; Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following :

Senate Bill No. 97—An act to amend section 1143 of the Penal Code, relating to fees of jurors;

Also: Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax;

Also: Senate Bill No. 567—An act to amend section 453e of the Civil Code, relating to insurance.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 97, 442 and 567 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 337 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following :

Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys;

Also: Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego;

Also: Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture;

Also: Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California; to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof;

Also: Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the state and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 263, 367, 631, 657 and 692 ordered to enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the Free Conference report and amendments to Senate Bill No. 743.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bill No. 743 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, County of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County:

Also: Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended:

Also: Senate Bill No. 107—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area:

Also: Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game:

Also: Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903:

Also: Senate Bill No. 334—An act to amend section 626g of the Penal Code, relating to the protection of fish and game:

Also: Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies:

Also: Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class:

Also: Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships:

Also: Senate Bill No. 728—An act to amend section 67b of the Code of Civil Procedure, relating to sessions of the superior court:

Also: Senate Bill No. 687—An act to add a new section to the Political Code to be numbered 73Sec, relating to the salaries of superior judges:

Also: Senate Bill No. 146—An act to amend sections 2, 5, 7, 8, 9 and 10 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921:

Also: Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game:

Also: Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737f, relating to salaries of superior court judges:

Also: Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737ee, relating to salaries of superior court judges:

Also: Senate Bill No. 155—An act to amend section 5 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency

and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Senate Bill No. 425—An act to amend section 626s of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended;

Also: Senate Bill No. 738—An act to amend section 19r5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers;

Also: Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 627c, relating to fish and game;

Also: Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737ee, relating to the salaries of superior court judges;

Also: Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters;

Also: Senate Bill No. 511—An act to amend section 626d of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 507—An act to amend section 626m of the Penal Code, relating to the protection of game.

Also: Senate Bill No. 248—An act to amend sections 7 and 8g of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be numbered section 5a;

Also: Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended;

Also: Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for post office purposes;

Also: Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington;

Also: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article XI thereof, relating to the compensation of city, county, town or municipal officers;

Also: Senate Bill No. 378—An act to amend section 1734b of the Political Code, relating to high school districts;

Also: Senate Bill No. 457—An act to amend section 460 of the Penal Code, relating to the degrees of burglary;

Also: Senate Bill No. 534—An act to add sections 290b, 290c, 290d, 290e and 290f to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917;

Also: Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 633—An act declaring the existing public highway extending from the northerly end of the present State highway in Inyo County to the boundary

line between California and Nevada to be a State highway, and placing it under the jurisdiction and control of the State Highway Commission:

Also: Senate Bill No. 215—An act to amend section 626 $\frac{1}{2}$ of the Penal Code, relating to the protection of games:

Also: Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation:

Also: Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235a, relating to county recorders of counties of the sixth class and the expenses of their offices:

Also: Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737dd, relating to the salaries of superior court judges:

Also: Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class:

Also: Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public:

Also: Senate Bill No. 603—An act to amend sections 1, 2, 24, 3, 5, 7, 15, 17, 21 $\frac{1}{2}$, 22, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add six new sections to be numbered 2a, 14a, 14b, 21a, 21b, 22a and 29a:

Also: Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game:

Also: Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners:

Also: Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof:

Also: Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist:

Also: Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents:

Also: Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds:

Also: Senate Bill No. 227—An act to amend sections 12, 13, 14, 17 and 19 of an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at 1 o'clock p.m.

Also:

GATES, DR., Chairman.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries:

Also: Senate Bill No. 412—An act to amend section 629a of the Penal Code, relating to the protection of fish:

Also: Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties;

Also: Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public;

Also: Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17a, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners;

Also: Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property;

Also: Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays;

Also: Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act;

Also: Senate Bill No. 200—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California;

Also: Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code;

Also: Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers;

Also: Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by adding a new section to be known as section 26a relative to the qualification of directors, and by repealing section 32½ of said act;

Also: Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools;

Also: Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries;

Also: Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation;

Also: Senate Bill No. 538—An act to add a new section, to be numbered section 467a, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations;

Also: Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees;

Also: Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act;

Also: Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

Also: Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erec-

tion, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof, and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

Also: Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921;

Also: Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property;

Also: Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost;

Also: Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads;

Also: Senate Bill No. 325—An act to amend section 57 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended;

Also: Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and

reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 21, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water:

Also: Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof;

Also: Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, approved May 27, 1915, by amending sections 20, 21, 29, 32, 45 and 52 thereof;

Also: Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled, "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools; And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock p.m.

GATES, DR., Chairman.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Boggs.

The Secretary was directed to call the roll, on the adoption of the constitutional amendment, of the Senators who had not answered to their names.

The roll was called, and Assembly Constitutional Amendment No. 47 adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Burnett, Carr, Chamberlin, Creighton, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Hurley, Inman, Johnson, M. B., Jones, Lewis, Nelson, Osborne, Rominger, Rush, Sample, Sharkey, Slater, and West—27.

NOES—Senators Breed, Canepa, Crowley, Dennett, Godsil, Harris, Ingram, McDonald, and Murphy—9.

Assembly Constitutional Amendment No. 47 ordered transmitted to the Assembly.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance—report that we have met a like committee of the Assembly, consisting of Assemblymen Kline, Hornblower and Spence, and we report that the Committee on Conference is unable to agree, and recommend that a Committee on Free Conference be appointed.

SWING,
EDEN,
ROMINGER,

Senate Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Johnson, M. B. Osborne, and James as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 1166.

APPOINTMENT OF COMMITTEE ON INVESTIGATION.

The President announced the appointment of Senators Ingram, Handy, and Murphy, to meet with a like committee from the Assembly, to investigate the California Polytechnic School at San Luis Obispo, in accordance to Assembly Concurrent Resolution No. 21.

RECESS.

At four o'clock p.m., on motion of Senator Broad, the President declared the Senate at recess until the hour of four o'clock and five minutes p.m.

RECONVENED

At four o'clock and five minutes p.m., the Senate reconvened. Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Book, Secretary of the Senate, at the desk.

MESSAGES FROM THE ASSEMBLY — OUT OF ORDER.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has passed and the bill has passed as amended Senate Bill No. 108. An act to amend section 1142 of the Political Code, relating to the appointment of election officers—and providing certain provisions from previous bills to appear in said amendments.

ARTHUR A. OHNIMUS, Clerk.
By E. E. E. STONE, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED EIGHT.

Senator Champion asked for and was granted unanimous consent to take up Senate Bill No. 108.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 11, of the original bill, after the period at the end of line one, insert the following: "and providing certain provisions from previous bills to appear in said amendments."

AMENDMENT NUMBER TWO.

On page 1, line 26 of the original bill, following the word "thereof" insert the following: "including the voting process and."

AMENDMENT NUMBER THREE.

On page 1, line 32 of the original bill, following the word "thereof" insert the following: "State."

AMENDMENT NUMBER FOUR.

On page 3, line 34, of the printed bill, strike out the period, insert in lieu thereof a comma and add the following: "or who is a candidate for office."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 108?"

The roll was called, and Assembly amendments to Senate Bill No. 108 concurred in by the following vote:

AYES—Senators Allen, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—25.
 NOES—None.

Senate Bill No. 108 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the judicial department, and providing for the establishment of municipal courts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OINIMUS, Chief Clerk.
 By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER
 TWENTY-FIVE.

Senator Chamberlin asked for and was granted unanimous consent to take up Senate Constitutional Amendment No. 25.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of article VI of the constitution of the State of California relative to the Judicial Department.

ASSEMBLY AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT
 NUMBER TWENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended May 14, 1923, strike out all of lines 7 to 12, inclusive, and insert in lieu thereof the following:

"The superior courts shall have appellate jurisdiction in such cases arising in municipal and other inferior courts in their respective counties or cities and counties as may be prescribed by law. The legislature may, in addition to any other appellate jurisdiction of the superior courts, also provide for".

The question being, "Shall the Senate concur in Assembly amendment to Senate Constitutional Amendment No. 25?"

The roll was called, and Assembly amendment to Senate Constitutional Amendment No. 25 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, and West—29.
 NOES—None.

Senate Constitutional Amendment No. 25 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED THIRTY-SIX.

Senator Lyon asked for and was granted unanimous consent to take up Senate Bill No. 336.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED THIRTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "hydroplane" and insert in lieu thereof the word "hydroaeroplane".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 336?"

The roll was called, and Assembly amendment to Senate Bill No. 336 concurred in by the following vote:

AYES—Senators Allen, Athuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sample, Sharkey, Slater, and West—29.

NOES—None.

Senate Bill No. 336 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THIRTEEN.

Senator Lyon asked for and was granted unanimous consent to take up Senate Bill No. 513.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED THIRTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out all of line 1 following the period after section 1, and all of lines 2 to 13, inclusive, and insert in lieu thereof the following: "That wherever under the provisions of the laws of the State of California, the board of health or any board, tribunal or constituted authority shall have juris-

diction or authority to inspect hotels, boarding houses, apartment houses and restaurants, that the power of the State Board of Health is hereby extended to include drug stores and department stores serving food, and that wherever any restrictions are applied to hotels, boarding houses, apartment houses and restaurants regarding sanitary conditions and inspection, that the same restrictions, inspections and conditions shall be applied to drug stores and department stores serving food for profit."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 513?"

The roll was called, and Assembly amendment to Senate Bill No. 513 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Canepa, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, Dr., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Sample, Sharkey, Slater, and West—29.

NOES—None.

Senate Bill No. 513 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526a, relating to the powers of the Board of State Harbor Commissioners, and appointed Assemblymen Morris, Weller and Smith, as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Handy, Powers, and Sharkey as a Committee on Conference to meet with a like committee from the Assembly to consider Assembly amendment to Senate Bill No. 167.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

SENATE REFUSES TO RECEDE.

The question being, "Shall the Senate recede from Senate amendments to Assembly Bill No. 1378?"

The roll was called, and the Senate refused to recede from its amendments to Assembly Bill No. 1378 by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Slater, and West—26.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers

subject to defeasance report that we have met a like committee of the Assembly, consisting of Assemblymen J. W. Johnston, George H. Davis and Frank C. Weller, and we report that the Committee on Free Conference have agreed to recommend that the Assembly concur in the Senate amendments.

JOHNSON,
JONES,
OSBORNE,

Senate Committee on Free Conference.

WELLER,
JOHNSTON,
DAVIS,

Assembly Committee on Free Conference.

The report of the Committee on Free Conference was adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—31.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation," approved June 3, 1921, is hereby amended to read as follows—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED FIFTY-TWO.

Senator Osborne asked for and was granted unanimous consent to take up Senate Bill No. 552.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation," approved June 3, 1921, is hereby amended to read as follows:

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FIFTY-TWO.

AMENDMENT NUMBER ONE.

Amend section 2 of the bill by striking out the period after the word "pictures" on line 23.

AMENDMENT NUMBER TWO.

Amend section 2 of the bill by inserting on line 23, after the word "pictures" the following: "and are operated for such purposes more than three continuous hours in any one day."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 552?"

The roll was called, and Assembly amendments to Senate Bill No. 552 concurred in by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Sharkey, Slater, and West—29.

NOES—None.

Senate Bill No. 552 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency the following:

Senate Bill No. 750—An act to amend section 1188 of the Political Code providing for nominations other than at a primary election;

Also: Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 750 and 749 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'inheritance tax act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921; and relating to the taking effect of this act;

Also: Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydrocarbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act;

Also: Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921;

Also: Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 739, 746, 734 and 444 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended;

Also: Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties;

Also: Senate Bill No. 246—An act to repeal section 16 of an act entitled "An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 393, 356 and 246 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof:

Also: Senate Bill No. 75—An act to amend sections 34 and 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended;

Also: Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 121, 75 and 524 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534a, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act, and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921;

Also: Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 7, 127 and 316 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 470—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo park in Contra Costa County;

Also: Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the speaker of the House of Representatives of the United States by the Secretary of War on

June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the board of engineers for rivers and harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bills Nos. 470 and 476 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Senate Bill No. 475 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Senate Bill No. 446 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for

the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed for under and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work;

Also: Assembly Bill No. 337—An act to add a new section to be numbered section 53 to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith," approved May 27, 1919," as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 692—An act to amend section 626m of the Penal Code, relating to the killing of game birds and fish;

Also: Assembly Bill No. 657—An act appropriating money for improvements at the Humboldt State Teachers College;

Also: Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms;

Also: Assembly Bill No. 468—An act to amend an act entitled "An act requiring the recording maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended;

Also: Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person: to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State: to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person: to prohibit the carrying of concealed firearms except by lawfully authorized persons: to provide for the confiscation and destruction of such weapons in certain cases: to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons: to prescribe penalties for violations of this act and increased penalties for repeated violations hereof: to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person: to provide for licensing retail dealers in such firearms and regulating sales thereunder: and to repeal chapter one hundred forty-five of California Statutes of 1917, relating to the same subject;

Also: Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981a, relating to dismissal of appeal;

Also: Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts;

Also: Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. ORR, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 277—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended, by amending sections 1, 6, 10 and 15 thereof, and to repeal sections 3a, 7 and 8 thereof;

Also: Assembly Bill No. 869—An act to amend section 5 of, and to add a new section to be numbered 7a, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'the reciprocal or interinsurance act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof;

Also: Assembly Bill No. 979—An act to provide for the organization and government of road districts, and to provide for the construction, acquisition and maintenance of roads in such districts;

Also: Assembly Bill No. 816—An act to amend sections 6 and 9 and 4 of and to add a new section to be numbered section 7a to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended;

Also: Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code: all relating to partnerships; and to make the Partnership Law of the State of California uniform with the law of other states.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of the Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526a, relating to the powers of the Board of State Harbor Commissioners—report that we have met a like committee of the Assembly, consisting of Assemblymen Morris, Weller, and Smith, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

HANDY,
SHARKEY,
POWERS.

Senate Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators McDonald, Burnett and Murphy as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Senate Bill No. 167.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused adoption of Senate Constitutional Amendment No. 29. A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 24, requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused adoption of Senate Concurrent Resolution No. 26—Relative to the creation of the "Legislative Tax Committee of 1923," for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds;

Also: Assembly Bill No. 728—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith;

Also: Assembly Bill No. 25—An act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo water district, prescribing its boundaries and providing for the government and control thereof;

Also: Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended;

Also: Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 8, 10, 25, and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts

of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests;

Also: Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class;

Also: Assembly Bill No. 703—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended;

Also: Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of carnal abuse of females under the age of ten years;

Also: Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof;

Also: Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers.

ARTHUR A. OHNIMUS, Chief Clerk.
By R. A. WAESTMAN, Assistant Clerk.

MESSAGES FROM THE GOVERNOR—(OUT OF ORDER).

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Senate of the State of California.

Senate Bill No. 633 is returned herewith without my approval.

This bill declares the county road between the city of Bishop and extending through the town of Laws and thence north to the Nevada line to be a State highway.

The Highway Commission has recommended that no more roads be added to the State system at the present time. To put this road into the State system would accomplish nothing as the Highway Commission has no funds to use upon it. At the present time there are hundreds of miles of highways put in the system by legislative action without regard to their importance. It is planned to make, in the next two years, a careful survey of the entire system and decide what roads should be in the system. To lay the matter of this road over for two years can do no harm.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Ordered to unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Senate of the State of California.

Senate Bill No. 174 is returned herewith without my approval.

This bill declares a county road between Alturas and New Pine Creek a State Highway.

The Highway Commission has recommended that no more roads be added to the State system at the present time. To put this road into the State system would accomplish nothing as the Highway Commission has no funds to use upon it. At the present time there are hundreds of miles of highways put in the system by

legislative action without regard to their importance. It is planned to make, in the next two years, a careful survey of the entire system and decide what roads should be in the system. To lay the matter of this road over for two years can do no harm.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SEVENTY-FOUR.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Johnson, M. B., Jones, Lewis, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Swing, and West—28.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Senate of the State of California.

Senate Bill No. 470 is returned herewith without my approval.

This bill appropriates \$105,000 for the purchase of land for Mount Diablo Park. The State's revenues do not warrant this large expenditure for this purpose.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SEVENTY.

VETO OF GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Creighton, Crowley, Dennett, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hughes, Ingram, Jones, Lewis, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—27.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Senate of the State of California.

Senate Bill No. 305 is returned herewith without my approval.

This bill declares a county road between Needles and Topoc a State highway.

The Highway Commission has recommended that no more roads be added to the State system at the present time. To put this road into the State system would accomplish nothing as the Highway Commission has no funds to use upon it. At the present time there are hundreds of miles of highways put in the system by legislative action without regard to their importance. It is planned to make, in the next two years, a careful survey of the entire system and decide what roads should be in the system. To lay the matter of this road over for two years can do no harm.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

Ordered to unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Senate of the State of California.

Senate Bill No. 275 is returned herewith without my approval.

This bill declares a certain highway running from Bakersfield to Mojave by the way of Tehachapi to be a State highway.

The Highway Commission has recommended that no more roads be added to the State system at the present time. To put this road into the State system would accomplish nothing as the Highway Commission has no funds to use upon it. At the present time there are hundreds of miles of highways put in the system by legislative action without regard to their importance. It is planned to make, in the next two years, a careful survey of the entire system and decide what roads should be in the system. To lay the matter of this road over for two years can do no harm.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FIVE.

VETO OF THE GOVERNOR SUSTAINED.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, Arbuttle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Dornett, Elen, Gates, Dr., Gates, E. J., Gadsil, Gray, Handy, Ingram, Johnson, M. B., Jones, Lewis, Lyon, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—29.

RECESS.

At four o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of four o'clock and twenty-five minutes p.m.

RECONVENED.

At four o'clock and twenty-five minutes p.m., the Senate reconvened. Arthur H. Breed, President pro tempore, of the Senate, in the chair. Joseph A. Beek, Secretary of the Senate, at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from Senate amendment to Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended—and appointed Assemblymen Badham, Smith and Fulwider as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Crowley, Osborne and Gates, Dr., as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendment to Assembly Bill No. 1378.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of the Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended"—report that we have met a like

committee of the Assembly, consisting of Assemblymen Fulwider, Badham and Dawson, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

CROWLEY,
OSBORNE,
GATES, DR.

Senate Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Gray, Murphy and Godsil as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 1378.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Free Conference Committee on Assembly Bill No. 1378 the following Assemblymen: Smith, Cleveland, and Snyder, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Free Conference Committee on Senate Bill No. 167 the following Assemblymen: Burns, Rosenshine and Spence, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators McDonald, Burnett and Murphy as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Senate Bill No. 167.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the Report of Free Conference and the amendment to Senate Bill No. 167.

ARTHUR A. OHNIMUS, Chief Clerk.
By E. E. EUSTICE, Assistant Clerk.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526a, relating to the powers of the Board of State Harbor Commissioners—report that we have met a like committee of the Assembly, consisting of Assemblymen Burns, Spence and Rosenshine, and we report that the Committee on Free Conference have agreed to recommend the following:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, after the word "the" and before the word "board" strike out the word "state".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, after the word "of" insert the word "state".

McDONALD,
BURNETT,
MURPHY.

Committee on Free Conference of the Senate.

The question being on the report of the Committee on Free Conference.

The roll was called, and the report of the Committee on Free Conference adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Eden, Gates, Dr., Gates, E. J., Godsil, Gray, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Murphy, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—28.

NOES—None.

Senate Bill No. 167 ordered to enrollment.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended"—report that we have met a like Committee of the Assembly, consisting of Assemblymen Smith, Snyder, and Cleveland, and we report that the Committee on Free Conference have agreed to recommend the following:

AMENDMENT NUMBER ONE.

Amend by striking out the comma after the word "provided" in line 13 of the printed bill as amended in Senate on May 17, 1923.

GODSIL,
MURPHY,
GRAY,

Committee on Free Conference of the Senate.

The question being on the report of the Committee on Free Conference:

The roll was called, and the report of the Committee on Free Conference adopted by the following vote:

AYES—Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Chamberlin, Creighton, Crowley, Eden, Gates, Dr., Godsil, Handy, Hart, Hughes, Ingram, Johnson, M. B., Jones, Lewis, McDonald, Nelson, Osborne, Powers, Sample, Sharkey, Slater, and West—27.

NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Senate of the State of California.

Senate Bill No. 73 is returned herewith without my approval.

This bill appropriates \$30,000 to be used by the First Agricultural District Association. The State's revenues do not warrant this appropriation.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Ordered to unfinished business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Senate of the State of California.

Senate Bill No. 702 is returned herewith without my approval.

This bill appropriates \$125,000 for the construction of a building at Davis for the College of Agriculture of the University of California. The University has been given a liberal allowance in the budget and the State's revenues do not warrant this appropriation.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Ordered to unfinished business file.

At four o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess for two minutes.

RECONVENED.

At four o'clock and forty-two minutes p.m., the Senate reconvened.

Lieutenant Governor C. C. Young, President of the Senate, in the chair.

Joseph A. Beck, Secretary of the Senate, at the desk.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a board of education;

Also: Senate Bill No. 329—An act to amend sections 258 and 259 of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure to be numbered 260, relating to the salary of court commissioners in counties of the first class;

Also: Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900a, relating to uniform proof of statutes.

Also: Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other state officers in relation to this act; to appropriate money for the expense

of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924;

Also: Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, by authorizing the appointment of two additional clerks and four additional stenographers in such office; and making an appropriation to pay the salaries of such additional clerks and stenographers during the seventy-fifth and seventy-sixth fiscal years;

Also: Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California;

Also: Senate Bill No. 584—An act making an appropriation for improvements, including repairs and equipment at the University of California;

Also: Senate Bill No. 585—An act to provide additional land and buildings for use in connection with the Department of Agriculture of the University of California at Berkeley and making an appropriation therefor.

Also: Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs;

Also: Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California;

Also: Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California;

Also: Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California;

Also: Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis.

Also: Senate Bill No. 697—An act authorizing the board of control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance;

Also: Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California;

Also: Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California.

Also: Senate Bill No. 206—An act making an appropriation to pay the claim of George A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California;

Also: Senate Bill No. 100—An act appropriating money to pay the claim of Williard H. Stimson and Son;

Also: Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the First Agricultural District;

Also: Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano;

Also: Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais Forest Fire District;

Also: Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated;

Also: Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by authorizing the appointment of three additional deputies in such office; and making appropriation to pay the salaries of such additional deputies during the seventy-fifth and seventy-sixth fiscal years;

Also: Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor;

Also: Senate Bill No. 406—An act appropriating \$500 for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California;

Also: Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California Building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building;

Also: Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California;

Also: Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with

the Federal Board for Vocational Education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and **making an appropriation therefor,**" approved June 3, 1921; And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and thirty minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation', approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended;

Also: Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof;

Also: Senate Bill No. 18—An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances;

Also: Senate Bill No. 296—An act to amend section 52 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 452—An act to amend section 7 of, and to add a new section to be numbered 2a to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended;

Also: Senate Bill No. 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes;

Also: Senate Bill No. 732—An act to amend section 1195a of the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors;

Also: Senate Bill No. 429—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921;

Also: Senate Bill No. 13—An act to amend section 3247 of the Political Code relating to preference on public contracts and furnishing supplies;

Also: Senate Bill No. 447—An act creating the Peninsula Development Board, conferring certain powers thereon and providing for the exercise thereof;

Also: Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362f, relating to the powers of the State Department of Education;

Also: Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921;

Also: Senate Bill No. 606—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921;

Also: Senate Bill No. 531—An act to amend section 633c of the Penal Code, relating to hours of labor;

Also: Senate Bill No. 488—An act to amend sections 2322, 2322a, 2322b, 2322c, 2322d, 2322e, 2322f, 2322g, 2322h, 2322i, and 2322j of the Political Code, relating to agriculture;

Also: Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers;

Also: Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add two new sections to be numbered 1a and 10a, and to repeal section 25 of an act entitled, "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended;

Also: Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits;

Also: Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the attorney general, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended;

Also: Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 214—An act to amend section 626*c* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education—and reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 97—An act to amend section 1143 of the Penal Code, relating to fees of jurors;

Also: Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax;

Also: Senate Bill No. 567—An act to amend section 453*c* of the Civil Code, relating to insurance;

Also: Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years;

Also: Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys;

Also: Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State Building at Balboa Park, San Diego;

Also: Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture;

Also: Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California: to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof;

Also: Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act;

Also: Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California;

Also: Senate Bill No. 348—An act recognizing and declaring valid the Lakeland Irrigation District, and approving and declaring valid all proceedings on formation and organization of said district;

Also: Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts;

Also: Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof;

Also: Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and thirty minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 552—An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation;

Also: Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto;

Also: Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places;

Also: Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the Judicial Department, and providing for the establishment of municipal courts;

Also: Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers;

Also: Senate Bill No. 466—An act to amend section 4292a of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor;

Also: Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534a, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act, and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921;

Also: Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof;

Also: Senate Bill No. 470—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County;

Also: Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section two of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of

Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917;

Also: Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years;

Also: Senate Bill No. 750—An act to amend section 1188 of the Political Code providing for nominations other than at a primary election;

Also: Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921; and relating to the taking effect of this act;

Also: Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydro-carbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act;

Also: Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921;

Also: Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education;

Also: Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended;

Also: Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties;

Also: Senate Bill No. 246—An act to repeal section 16 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended;

Also: Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof;

Also: Senate Bill No. 75—An act to amend sections 34 and 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended;

Also: Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission;

Also: Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended;

Also: Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526a, relating to the powers of the board of State Harbor Commissioners;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and thirty minutes p.m.

GATES, DR., Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California;

Also: Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court;

Also: Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts;

Also: Senate Bill No. 91—An act to add a new section to be numbered 19a to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921;

Also: Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921;

Also: Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, and 1773 of the Political Code; and to repeal sections 1774, 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State;

Also: Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations:

Also: Senate Bill No. 635—An act making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years:

Also: Senate Joint Resolution No. 17—Relative to the increase of armament:

Also: Senate Joint Resolution No. 14—Relative to persons whose parents are ineligible to citizenship:

Also: Senate Bill No. 361—An act to regulate the use of purse seine nets, drag nets, lapnet nets or pound haul nets in fish and game districts 19, 20A and 21, and providing a penalty for the violation thereof:

Also: Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to sections 23 and 23a of article IV of the constitution of the State of California, relating to compensation of members of the Legislature:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and twenty minutes p.m.

GATES, DR., Chairman.

REPORT OF SECRETARY.

SENATE CHAMBER, SACRAMENTO, MAY 18, 1923.

MR. PRESIDENT: I beg leave to report that I have received from the Chairmen of the various committees of the Senate the following Senate bills on which no action has been reported, together with such bills as have been reported out and subsequently re-referred:

SENATE BILLS—Nos. 1, 4, 10, 15, 16, 20, 21, 22, 23, 25, 27, 37, 38, 47, 51, 52, 53, 55, 57, 58, 59, 61, 65, 71, 78, 80, 86, 87, 92, 98, 100, 103, 109, 110, 111, 114, 117, 120, 129, 133, 137, 140, 144, 145, 148, 151, 161, 170, 171, 172, 173, 175, 177, 179, 180, 183, 185, 190, 201, 203, 204, 208, 210, 217, 218, 219, 221, 226, 230, 236, 238, 239, 241, 243, 245, 247, 251, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 268, 276, 278, 279, 280, 281, 282, 286, 288, 295, 299, 300, 304, 307, 314, 317, 319, 321, 322, 326, 328, 330, 332, 339, 340, 341, 343, 347, 351, 355, 357, 358, 359, 360, 362, 363, 368, 371, 373, 379, 380, 381, 384, 386, 387, 388, 389, 391, 394, 397, 398, 399, 402, 404, 410, 411, 414, 415, 418, 419, 421, 422, 430, 433, 440, 441, 449, 453, 464, 467, 469, 473, 477, 479, 484, 500, 501, 503, 504, 505, 508, 509, 512, 514, 518, 519, 520, 527, 6, 35, 44, 45, 49, 54, 84, 94, 96, 104, 107, 112, 115, 116, 118, 123, 130, 139, 147, 150, 166, 168, 188, 191, 195, 197, 198, 234, 244, 267, 283, 287, 323, 338, 345, 353, 364, 403, 522, 551, 560, 627, 647, 649, 699, 707, 719, 721, 722, and 748.

SENATE CONSTITUTIONAL AMENDMENTS—Nos. 1, 3, 4, 5, 7, 9, 11, 12, 14, 17, 19, 21, 22, 24, 27, 28, 30, 31, 32, 33, 34, and 35.

Senate Joint Resolutions—Nos. 5, 6, 7, 8, 10, 20, and 21.

Senate Concurrent Resolutions—Nos. 11, 14, and 18.

Also: The following Senate Bills from the Chairmen of the various Assembly committees transmitted to me by the Chief Clerk of the Assembly, on which no committee action has been reported:

SENATE BILLS—Nos. 528, 529, 530, 532, 535, 541, 542, 543, 545, 550, 555, 556, 557, 558, 559, 561, 563, 564, 565, 566, 568, 569, 570, 571, 572, 573, 594, 595, 596, 597, 605, 607, 608, 611, 612, 618, 619, 620, 621, 623, 626, 632, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 653, 654, 658, 659, 660, 661, 663, 664, 665, 666, 668, 669, 670, 671, 672, 674, 676, 677, 679, 680, 681, 683, 684, 690, 691, 694, 700, 703, 725, 726, 735, and 736.

SENATE CONSTITUTIONAL AMENDMENT—No. 2.

SENATE JOINT RESOLUTION—No. 9.

Respectfully submitted.

J. A. BEEK,
Secretary of the Senate.

APPOINTMENT OF SENATORS TO PREPARE ARGUMENTS.

The President announced the following appointments of Senators to prepare arguments for and against constitutional amendments to be presented to the people at the next general election:

To prepare the argument for Senate Constitutional Amendment No. 15, relative to the compensation of city, county, town or municipal officers: Senator Nelson, author, and Senator Sample. There being no minority vote, no appointment is made to prepare an argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 20, relative to giving or lending of public credit: Senator Slater, author, and Senator Dennett, for majority. There being no minority vote, no appointment is made to prepare an argument against said amendment.

To prepare the argument for Senate Constitutional Amendment No. 23, relative to compensation of members of the Legislature: Senator McDonald, author, and Senator Jones, for majority. To prepare the argument against said amendment: Senator Crowley, for minority.

To prepare the argument for Senate Constitutional Amendment No. 25, relative to the Judicial Department: Senator Chamberlin, author, and Senator Carr, for majority. There being no minority vote, no appointment is made to prepare an argument against said amendment.

APPOINTMENT OF INVESTIGATING COMMITTEE.

The President announced the appointment of the following Senators as members of a joint committee to investigate the expenditures of the State Reclamation Board in Sutter-Butte By-pass Project No. 6 in the Sacramento-San Joaquin Drainage District, in accordance with Assembly Concurrent Resolution No. 13:

Senators Inman, Sharkey, and Gates, Dr.

RESOLUTIONS.

The following resolutions were offered:

By Senator McDonald:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn sine die, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator McDonald, adopted.

By Senator Sharkey:

Resolved, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn sine die and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Sharkey, adopted.

APPOINTMENT OF COMMITTEES.

The President pro tempore announced the appointment of the following committees:

To wait on the Assembly in accordance with the provisions of the resolution offered by Senator McDonald: Senators McDonald, Godsil and Gates, Dr.

To wait on the Governor in accordance with the provisions of the resolution offered by Senator Sharkey: Senators Sharkey, Gates, E. J., and Slater.

REPORTS OF SPECIAL COMMITTEES.

By consent of the Senate, the following reports of special committees were received, out of the regular order:

Senators McDonald, Godsil, and Gates, Dr., the special committee appointed to notify the Assembly that the Senate was ready to adjourn, reported that they had notified the Assembly, in accordance with their instructions, and that the Assembly would shortly convey a message to the Senate through its committee.

Also:

Senators Sharkey, Gates, E. J., and Slater, the special committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn sine die, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

MESSAGE FROM THE ASSEMBLY.

At four o'clock and forty-five minutes p.m., a committee from the Assembly, consisting of Messrs. Eksward, Foster, and Roberts, appeared at the bar of the Senate and announced that the Assembly had no further communication to transmit to the Senate and was now prepared to adjourn sine die.

MESSAGE TO THE ASSEMBLY.

Upon receipt of the foregoing message from the Assembly, the President pro tempore announced that the Senate had no further communication to transmit to the Assembly and requested the committee from the Assembly to convey to the Assembly the information that the Senate was now prepared to adjourn sine die.

APPROVAL OF MINUTES.

The minutes of this day, Friday, May 18, 1923, were read, and, on motion of Senator Sharkey, approved.

FINAL ADJOURNMENT.

Whereupon, at five o'clock p.m., in accordance with the provisions of Assembly Concurrent Resolution No. 12, the President pro tempore declared the forty-fifth session of the Senate of the State of California adjourned sine die.





